

of the functions of the Personnel Classification Board to the Civil Service Commission; to the Committee on the Civil Service.

454. By Mr. KERR: Petition of Mrs. J. A. Spiers, chairman of art of the North Carolina Federation of Woman's Clubs, and others, requesting an appropriation of the sum of \$10,000,000 for the erection of a public building in the city of Washington, D. C., to be known as the national gallery of art; to the Committee on Public Buildings and Grounds.

455. By Mr. KINDRED: Petition of the trustees of the New York Public Library, Astor, Lenox, and Tilden Foundations, approving House bill 5841, and protesting against the enactment of any substitute measure which shall tend to restrict the freedom of libraries, etc.; to the Committee on the Library.

456. Also, resolution passed by the Long Island Federation of Woman's Clubs, urging the United States Senators and the Congressmen from Long Island to consider favorably the erection of a building in Washington, D. C., to be known as the national gallery of art; to the Committee on Public Buildings and Grounds.

457. Also, petition of the Carl Follen Unit, No. 103, Steuben Society of America, to the United States Congress, opposing entry of the United States into the World Court; to the Committee on Foreign Affairs.

458. By Mr. LEATHERWOOD: Resolution of the Kiwanis Club, Salt Lake City, Utah, requesting continuation of Federal aid for interstate highways; to the Committee on Roads.

459. By Mr. LITTLE: Petition of United States Spanish War Veterans, Lawrence, Kans., in support of House bill 98, citing conditions of Spanish War veterans not covered by the act of June 5, 1920; also letters signed by Mrs. Louis W. Streich, Kansas City, and Mary B. Chappel, secretary, American Red Cross, Kansas City, Kans.; to the Committee on Pensions.

460. Also, petition of members of faculty of the University Kansas School of Pharmacy, to bring before the United States Congress at the earliest opportunity an amendment to section 15 of the present copyright law by inserting the words "or mimeographic process" after the words "or photo-engraving process" in lines 9, 15, 34, and 41 of section 15; to the Committee on Patents.

461. By Mr. LONGWORTH: Petition of the National Society Daughters of the American Revolution, "Whereas Mrs. Mary Key McBlair, granddaughter of Francis Scott Key, author of 'The Star-Spangled Banner,' is an aged widow and will soon be retired from the service of the United States Government with a meager pension of \$12 per month: *Resolved*, That the National Society Daughters of the American Revolution do petition Congress to give an adequate pension to her for the rest of her life"; to the Committee on Pensions.

462. By Mr. MOONEY: Petition of Cleveland Motion Picture Exhibitors' Association, protesting music-tax proposal; to the Committee on Patents.

463. Also, petition of Cleveland Hebrew Benevolent Association, indorsing House bill 7089, to amend the Immigration act of 1924; to the Committee on Immigration and Naturalization.

464. By Mr. OLDFIELD: Petition of Clio Harper, of Little Rock, Ark., and other members of the Arkansas Press Association, favoring the restoration of the second-class postal rates of 1920 and urging the restriction of printing and sale of Government stamped envelopes; to the Committee on the Post Office and Post Roads.

465. By Mr. STRONG of Kansas: Petition of L. E. Shepard and 81 other citizens of Miltonvale, Kans., requesting enactment of legislation to increase the pensions of Indian war veterans and their widows; to the Committee on Pensions.

SENATE

TUESDAY, January 26, 1926

(Legislative day of Saturday, January 16, 1926)

The Senate reassembled, in open executive session, at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate, as in legislative session, will receive a message from the House of Representatives.

As in legislative session,

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 7554) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1927, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 3755. An act granting the consent of Congress to the counties of Anderson, S. C., and Elbert, Ga., to construct a bridge across the Savannah River; and

H. R. 6089. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge and approaches thereto across the Fox River in the county of McHenry, State of Illinois, in section 26, township 45 north, range 8 east of the third principal meridian.

ANNUAL REPORT OF THE PUBLIC PRINTER

The VICE PRESIDENT laid before the Senate, pursuant to law, the annual report of the Public Printer for the fiscal year ended June 30, 1925, and also for the last half of the calendar year ended December 31, 1925, which was referred to the Committee on Printing.

THE WORLD COURT

The Senate, in open executive session, resumed the consideration of Senate Resolution 5, providing for adhesion on the part of the United States to the protocol of December 16, 1920, and the adjoined statute for the Permanent Court of International Justice, with reservations.

Mr. MOSES. Mr. President, without reference to the limit of one hour imposed upon Senators, I wish to raise certain parliamentary questions, and therefore I hope the stop watch will be put out of commission for the time being.

I would like to engage the attention of the Senator from Wisconsin [Mr. LENROOT] as to the procedure to be followed. The statute having been read in full, and the discussion having been had upon it, I assume we are now reaching a point where individual reservations may be offered, either to the resolution as modified and presented by the Senator from Virginia [Mr. SWANSON] or by agreement that they may be offered as individual reservations supplementary to it.

I particularly wish to call the attention of the Senator from Wisconsin to the fact that I have presented, as in the nature of a substitute for the Swanson resolution in whatever form it may finally find itself, the so-called Pepper plan. I would like to ask the Senator from Wisconsin if it is possible now to secure unanimous consent to the effect that when the Swanson resolution has finally been perfected in Committee of the Whole my substitute may then be offered?

Mr. LENROOT. I should have no objection to that course. Technically, the Pepper plan does involve amendments to the statute.

Mr. MOSES. I understand that.

Mr. LENROOT. And if that is waived—

Mr. MOSES. That is why I am asking unanimous consent, because my understanding is that the amendments to the statute should be considered immediately, and inasmuch as the whole subject matter of the so-called Pepper plan is presented by me as a substitute for the Swanson resolution, when that is finally agreed upon in its form in the Committee of the Whole, I ask unanimous consent that I may then have the opportunity to present the so-called Pepper plan as a substitute for the Swanson resolution.

Mr. LENROOT. As a whole?

Mr. MOSES. As a whole, when it is agreed upon in Committee of the Whole.

Mr. REED of Missouri. The Senator means if it is agreed upon?

Mr. MOSES. If and when. I ask unanimous consent, Mr. President.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Let us know a little more about the matter first.

Mr. MOSES. The unanimous consent for which I have asked is that if and when Senate Resolution 5 has been perfected in the Committee of the Whole and is ready to be taken into the Senate for agreement upon whatever amendments are made to it, that being the practice which I assume we must follow here, I shall then have the opportunity of presenting my substitute for the Swanson resolution as it then stands.

Mr. LENROOT. I should think the Senator would rather take this course—that when the Swanson resolution is perfected and ready for a final vote—

Mr. MOSES. In Committee of the Whole.

Mr. LENROOT. Or in the Senate.

Mr. MOSES. I have no desire to have two votes upon the matter.

Mr. LENROOT. Then the Senator, by unanimous consent, shall have the privilege of offering, as a substitute for the Swanson resolution as it may be perfected, his Pepper plan.

Mr. MOSES. I have no objection to taking the vote either in Committee of the Whole or in the Senate, but inasmuch as it involves a little departure from the procedure which regularly would be followed I have submitted this request.

Mr. WATSON. Does the Senator understand that he has to wait until we get into the Senate to secure unanimous consent or can it be granted now?

Mr. LENROOT. The Senator from New Hampshire is asking unanimous consent that when the Swanson resolution shall be perfected he may offer his Pepper plan, to which request I have no objection.

Mr. MOSES. I would prefer to do it so that we can go into the Senate with the Swanson resolution perfected. I have no illusions about the vote on the Pepper resolution. I would prefer to offer it in Committee of the Whole, so that we can take the Swanson resolution into the Senate from the Committee of the Whole.

Mr. LENROOT. Except that the ratifying part of the Swanson resolution is not considered in Committee of the Whole.

Mr. MOSES. I am referring to the text of it.

Mr. LENROOT. I have no objection.

Mr. MOSES. I wish merely to deal with the text of it, and therefore I am making the request.

Mr. BRUCE. Mr. President, I can not understand why the proposal was not offered before.

Mr. MOSES. It was offered many days ago, I will state to the Senator from Maryland. It is only my desire that it shall be presented to the Senate for a vote.

Mr. BRUCE. I have no objection.

The VICE PRESIDENT. Without objection, the request is agreed to.

Mr. LENROOT. Now, Mr. President, I ask unanimous consent that all reservations which have been presented under the rule shall be first considered in Committee of the Whole, the reservations contained in the Swanson resolution to be first considered, and that if any Senator desires to offer a reservation that is pending as a substitute for any part of the Swanson reservation he may have that opportunity.

Mr. BORAH. There is only one question that I desire to ask. Why is it necessary to have unanimous consent about all these things?

Mr. LENROOT. When a similar situation arose in connection with the Isle of Pines treaty the Chair ruled that the other course was the proper procedure.

Mr. REED of Missouri. I do not understand what the Senator means by "the other course."

Mr. LENROOT. That reservations were not to be considered in Committee of the Whole, but were to be considered when the resolution of ratification was before the Senate.

Mr. REED of Missouri. I understand the Senator is asking consent that we shall proceed now with the Swanson resolution and reservations?

Mr. LENROOT. Yes.

Mr. REED of Missouri. As in Committee of the Whole?

Mr. LENROOT. Yes.

Mr. REED of Missouri. And that they shall be open to amendment in Committee of the Whole in so far as those amendments or reservations have been properly filed.

Mr. LENROOT. That is, any Senator may offer to substitute any other reservation for the Swanson reservation.

Mr. REED of Missouri. He may, or he may move to amend the Swanson reservation, provided he has already filed his proposition of amendment?

Mr. LENROOT. If it does not go beyond the extent of the agreement.

Mr. REED of Missouri. That is, it is already on file?

Mr. LENROOT. Yes.

Mr. MOSES. Let me see if I understand the position of the Senator from Wisconsin with reference to that. I have a reservation which would be in the nature of an additional reservation to those proposed by the Senator, and that is an amendment. Of course, I wish immediately to have that read and to devote 5 or 10 minutes to a discussion of it.

Mr. LENROOT. There is no objection to that, except that the pending question will start with consideration of the Swanson reservation, of course. Is that clear?

Mr. REED of Missouri. I understand the unanimous consent to be that the Senate as in Committee of the Whole shall now proceed to the consideration of what is commonly known as the Swanson reservations and resolution.

Mr. LENROOT. Reservations. The resolution comes afterwards under the rule.

Mr. REED of Missouri. Very well; and that in Committee of the Whole any amendments to the Swanson reservation

which were properly filed on yesterday before 1 o'clock will also be considered.

Mr. LENROOT. Certainly.

Mr. REED of Missouri. And that when the Swanson resolution or reservations have been perfected the Senator from New Hampshire is to have the privilege at that time of offering in Committee of the Whole his substitute to which he has referred. Is that the unanimous consent?

Mr. LENROOT. Yes. It is understood, of course, that no amendment can be offered from the floor.

Mr. REED of Missouri. That is, no new amendment?

Mr. MOSES. By unanimous consent it could be offered.

Mr. LENROOT. Yes; except by unanimous consent.

Mr. NORRIS. Mr. President, may I ask the Senator from Wisconsin if it is his idea that none of these reservations are subject to amendment? Suppose a grammatical error were found in one of them, would there be no way to correct it?

Mr. LENROOT. By unanimous consent.

Mr. NORRIS. But suppose there should be an objection?

Mr. LENROOT. Then there is no way to do it.

Mr. MOSES. The Senator from Nebraska is referring to the reservations which have been offered and printed?

Mr. LENROOT. Yes.

Mr. BRUCE. May I inquire of the Senator from New Hampshire whether it is necessary to make the point that there is a limitation of time on debate?

Mr. MOSES. I understand there is not as covering the present discussion, but we are governed by the one hour all told when we get to a discussion of the reservations themselves, I will say to the Senator.

Mr. SWANSON. Of course, the regular procedure is to consider the treaty or convention in Committee of the Whole, but reservations are considered in the Senate. Some Senators desire, because there may be a close vote on some of the proposals, to have two votes. That is all the agreement will accomplish in this matter, and I think it is right to have a full opportunity to offer all amendments. These reservations of mine were submitted rather late, I will admit. I expected to present them earlier, but they were simply amendments that were offered by other Senators that had been filed later than mine. I feel that full liberty ought to be given in connection with those amendments and I see no objection, except that it requires unanimous consent to change the rule of the Senate, which I hope will be granted, so that Senators may have full opportunity to have the amendments discussed in Committee of the Whole.

The VICE PRESIDENT. Without objection it is agreed to.

Mr. REED of Missouri. No, Mr. President.

Mr. BORAH. Just a moment. Has the unanimous-consent proposal been reduced to writing? Let us have it reduced to writing, so that we will know what it is when we adopt it. No one can tell from the discussion that has taken place just what it is.

Mr. MOSES. If the Senator will permit me, I will undertake to state it.

Mr. BORAH. It has been stated, and then the Senator from Wisconsin [Mr. LENROOT] added an interpretation of his view of it. So we may get into a controversy after it is adopted. Let us have the controversy first. Let the unanimous-consent agreement be reduced to writing.

Mr. MOSES. If I may be permitted to state it, the unanimous-consent agreement is that the Senate shall proceed in Committee of the Whole to consider Senate Resolution No. 5 in the regular order. It need not be stated in the unanimous-consent agreement, but that means that amendments may be offered to it in Committee of the Whole.

Mr. LENROOT. Amendments that are already pending.

Mr. MOSES. Oh, yes; amendments that are here under the rule; and that when the resolution has been perfected in Committee of the Whole and is ready for a final vote in Committee of the Whole, I shall have the opportunity of presenting my substitute for it, and the whole debate shall be governed by the closure rule of one hour all told to each Senator.

Mr. JOHNSON. I may have misunderstood the Senator from Virginia [Mr. SWANSON]. I thought he said that amendments might be offered to the reservations which he had presented so late, as he said.

Mr. SWANSON. If the Senator will permit me, I meant presented earlier than that presented by the Senator from Idaho, earlier than that presented by the Senator from South Carolina, earlier than that presented by the Senator from New Hampshire, and printed in the Record. On account of the failure to reach an agreement I presented it as soon as it could be prepared.

Mr. JOHNSON. Be that as it may, it was presented on Saturday last, but came to us yesterday just before the vote on cloture.

Mr. SWANSON. But the Senator had a copy of it immediately after. The Senator from Idaho took the original copy and read it.

Mr. JOHNSON. Surely, I endeavored to inform myself at the earliest possible moment respecting it; but that does not alter the fact that it came to the desks of Senators yesterday just before the vote. What I want to make clear is whether the unanimous-consent agreement includes the offering of any amendments other than those which have been presented and are on the desk?

Mr. SWANSON. It could only be done under the rule by unanimous consent.

Mr. JOHNSON. I realize that, but I want to know whether the unanimous-consent agreement includes that.

Mr. SWANSON. It does not.

Mr. JOHNSON. Was it not the Senator's intention that it should include it?

Mr. SWANSON. No. So far as I am concerned, any amendment that is offered in good faith and not for the purpose of delay I am willing to consent to have voted on here. I do not object to any amendment offered in that way.

Mr. JOHNSON. I would not assume that an amendment would be offered for any other purpose. That is what I want to make clear, and it is merely with the desire to clarify the atmosphere and understand the situation that I am addressing my query to the Senator from Virginia. I had understood from what the Senator said that amendments might be offered to the reservations which he presented last Saturday and which came to our desks on Monday. If I am in error on that I want to be corrected.

Mr. MOSES. Under the rule that can not be done except by unanimous consent.

Mr. JOHNSON. I know it can not be done except by unanimous consent, but does the unanimous-consent agreement include that?

Mr. LENROOT. It does not.

Mr. JOHNSON. The Senator from Wisconsin says it does not. Is that correct?

Mr. SWANSON. That is right; it does not.

Mr. MOSES. Does the Senator from Idaho still wish to have the unanimous-consent agreement read?

Mr. BORAH. I think it ought to be read.

Mr. REED of Missouri. Let the suggestion which I made be read by the reporter.

Mr. SWANSON. I think the statement made by the Senator from Missouri of the proposed unanimous-consent agreement more clearly sets it forth than anyone else has done, with all due deference to the Senator from New Hampshire.

Mr. MOSES. I am perfectly willing to agree to that.

Mr. ROBINSON of Arkansas. Let the reporter read it.

The VICE PRESIDENT. The clerks at the desk are transcribing it. It will be read.

The Chief Clerk read as follows:

Ordered by unanimous consent, That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson resolution, and that in the Committee of the Whole any amendment which was properly filed on yesterday before 1 p. m. will also be considered, and that when the Swanson reservations have been perfected the Senator from New Hampshire [Mr. MOSES] is to have the privilege at that time of offering his substitute, which he has proffered in Committee of the Whole.

Mr. LENROOT. Mr. President, the words "Swanson resolution" should read "Swanson reservation."

Mr. REED of Missouri. Very well; let it read "reservation."

The CHIEF CLERK. Strike out "resolution" and insert "reservation"; so as to read "Swanson reservation."

Mr. LENROOT. I ask the Secretary to read it again.

The Chief Clerk read as follows:

Ordered by unanimous consent, That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson reservation, and that in the Committee of the Whole any amendment which was properly filed on yesterday before 1 p. m. will also be considered, and that when the Swanson reservations have been perfected the Senator from New Hampshire [Mr. MOSES] is to have the privilege at that time of offering his substitute, which he had proffered in Committee of the Whole.

Mr. REED of Missouri. It should read "offering in Committee of the Whole his substitute."

Mr. WILLIAMS. I think the proposed agreement should include substitutes offered by other Senators. I have offered a substitute.

Mr. REED of Missouri. I think it should read "and any other substitute that is properly pending may be offered."

Mr. WILLIAMS. I have a substitute that is pending.

Mr. LENROOT. Mr. President, one other suggestion—

Mr. ROBINSON of Arkansas. Mr. President, a parliamentary inquiry. How many substitutes are pending?

Mr. MOSES. I think there are only two.

Mr. ROBINSON of Arkansas. Of course, under parliamentary law, only one substitute can be offered; otherwise there would be no limitation to the number that might be offered.

Mr. MOSES. I think there are only two that are properly before the Senate.

Mr. ROBINSON of Arkansas. How many are pending? Some Senator ought to know.

Mr. MOSES. I think there are only two.

Mr. ROBINSON of Arkansas. The Senator from New Hampshire has offered one. Has any other Senator offered one?

Mr. MOSES. The Senator from Missouri [Mr. WILLIAMS] has offered another.

Mr. ROBINSON of Arkansas. Then I will make no objection to that change in the agreement, as there are only two substitutes pending.

Mr. WALSH. Mr. President—

Mr. BLEASE. Mr. President, I should like to ask a question.

Mr. MOSES. I yield first to the Senator from Montana, who has been standing for some time.

Mr. WALSH. I wish to inquire whether the unanimous-consent agreement as it is now framed embraces the subsequent resolutions? There are now three resolutions in one—one proposing adherence with certain reservations, the second is a resolution in relation to the method by which the questions shall be submitted, and the third is the Monroe doctrine resolution. Are those two additional resolutions to be considered also as in the Committee of the Whole?

Mr. MOSES. My understanding is that the two latter resolutions to which the Senator refers will be presented in the same manner as additional reservations; that they are properly before the Senate and will be presented.

Mr. WALSH. That is all right, then; that is quite agreeable.

Mr. MOSES. I now yield to the Senator from South Carolina.

Mr. REED of Missouri. Mr. President, will the Senator yield to me for a moment?

Mr. MOSES. If the Senator from South Carolina will consent, I will yield to the Senator from Missouri.

Mr. BLEASE. Very well.

Mr. REED of Missouri. If the Senator from South Carolina will pardon me, by "the Swanson reservation" I meant to include all of those qualifying reservations of the Senator from Virginia [Mr. SWANSON] that are in the pending resolution.

Mr. MOSES. I yield now to the Senator from South Carolina.

Mr. BLEASE. I could not catch it clearly from the reading of the proposed agreement, and I should like to know to what Swanson resolution the agreement refers.

Mr. REED of Missouri. It refers to the one that is now pending.

Mr. BLEASE. That is the one additional to the first one?

Mr. REED of Missouri. It refers to Resolution No. 5 as it has now been modified.

Mr. BLEASE. I object to this agreement if it includes the first Swanson resolution or reservations.

Mr. MOSES. The first so-called Swanson resolution has already been changed by the action of the Senator from Virginia himself; he has modified it as it originally stood.

Mr. BLEASE. The last one is not so bad.

Mr. SWANSON. Mr. President, if the Senator from New Hampshire will yield to me, under Rule XXI, I had the right to modify my resolution at any time before the yeas and nays were ordered on it or it was amended. I did modify it, and the resolution pending will be modified by reservations which I presented on last Saturday.

Mr. MOSES. That is correct.

Mr. BLEASE. That is, the one the Senator from Virginia originally offered has been gotten out of the way?

Mr. MOSES. Yes.

Mr. BLEASE. And there is no chance of bringing that back?

Mr. LENROOT. No.

Mr. BLEASE. That is all right; that will be fine.

Mr. LENROOT. Mr. President, there is one addition which should be made. I ask that the Secretary again read the proposed agreement.

The Chief Clerk read as follows:

Ordered by unanimous consent, That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson reservation, and that in the Committee of the Whole any amendment or reservation which was properly filed on yesterday before 1 p. m. will also be considered, and that when the Swanson reservations have been perfected the Senator from New Hampshire [Mr. MOSES] is to have the privilege at that time of offering in the Committee of the Whole the substitute which he has offered.

Mr. ROBINSON of Arkansas. Mr. President, we have just agreed that the Senator from Missouri [Mr. WILLIAMS] may also offer his substitute. I suggest that the agreement may read that the Senator from New Hampshire [Mr. MOSES] and the Senator from Missouri [Mr. WILLIAMS], respectively, may offer their substitutes.

Mr. LENROOT. Before that is agreed to, will not the Senator from New Hampshire also ask unanimous consent to waive the consideration of the amendments to the statute under the Pepper plan?

Mr. MOSES. I will consent to that.

Mr. LENROOT. I think there will be no objection to that.

Mr. REED of Missouri. What is that?

Mr. MOSES. The Pepper plan contemplates an amendment or amendments to the statute. I wish to ask unanimous consent to waive consideration of those amendments.

Mr. LENROOT. Because it will all be embodied in the substitute of the Senator from New Hampshire.

Mr. MOSES. It will all be embodied in my substitute, and I do not want to take the time of the Senate needlessly.

Mr. BRUCE. Mr. President, as my ear caught the reading, the word "reservation" was used in the singular and not in the plural in the beginning of the agreement. I should like to have the clerk verify that. I think that the proposed agreement now reads "reservation," while it should read "reservations."

Mr. REED of Missouri. It should read "Swanson reservations."

Mr. BRUCE. I do not know as yet whether my impression is correct or whether it is erroneous. I should like to have the Secretary read the proposed agreement.

The VICE PRESIDENT. The Secretary will read as requested.

The Chief Clerk read as follows:

Ordered by unanimous consent, That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson reservation—

Mr. BRUCE. Did the Secretary say "reservation" or "reservations"?

The CHIEF CLERK. The first time it was read "reservation."

Mr. REED of Missouri. It should read "reservations," in the plural.

The CHIEF CLERK. It reads:

Ordered by unanimous consent, That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson reservations, and that in the Committee of the Whole any amendment or reservations which were properly filed on yesterday before 1 p. m. will also be considered, and that when the Swanson reservations have been perfected the Senator from New Hampshire [Mr. MOSES] and the Senator from Missouri [Mr. WILLIAMS], respectively, are to have the privilege at that time of offering their substitutes.

Mr. MOSES. Now may I add to that, in order to carry out the understanding with the Senator from Wisconsin, "and that the Senator from New Hampshire waives the consideration of amendments to the statute of the court contained in his substitute"?

Mr. LENROOT. Separately.

Mr. MOSES. Waives all consideration of amendments to the statute.

Mr. SWANSON. I think that the best way to put it would be to say that "any amendments to the statute included in the resolution of the Senator from New Hampshire shall be considered as waived."

The Chief Clerk read as follows:

And the Senator from New Hampshire waives all consideration of amendments to the statute of the court contained in his substitute.

Mr. LENROOT. The Senator can not waive anything. May I suggest "and all consideration of amendments to the statute, separately considered, is waived"?

Mr. ROBINSON of Arkansas. What does all that mean?

Mr. LENROOT. It means, technically, that we will consider the amendments to the statute that are contained in the resolution.

Mr. ROBINSON of Arkansas. It says that the Senator waives consideration of the amendments to the statute. Now, the Senator says that that means that we shall consider the amendments.

Mr. SWANSON. It ought to read "except as contained"—

Mr. WATSON. "In the Pepper resolution."

Mr. SWANSON. "In the resolution to be offered."

Mr. REED of Missouri. What is the use of putting that in? The Senator from New Hampshire can waive it by not urging it. Mr. ROBINSON of Arkansas. Yes; but what is it that he waives? I really am asking for information.

Mr. MOSES. I will say to the Senator that I will waive the separate consideration of the textual amendments to the statute of the court which are embraced in the so-called Pepper plan. In other words, I am not asking the Senate to consider separately textual amendments to the statute.

Mr. ROBINSON of Arkansas. Very well. Now I understand the modification, and I am for it.

Mr. FLETCHER. Why offer them then?

Mr. MOSES. I will say to the Senator from Florida that I want to get the whole substitute before the Senate; and if we pursued the ordinary course, inasmuch as this involves a textual amendment of the instrument, each one of these textual amendments would have to be taken up and considered separately. I will say further to the Senator from Florida that my whole notion is that since the juggernaut has been set in motion I have no desire to impede his progress.

The VICE PRESIDENT. The Secretary will state the proposed unanimous-consent agreement.

The Chief Clerk read as follows:

That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson reservation, and that in the Committee of the Whole any amendment—

Mr. BRUCE. Mr. President, I should like to find out, once for all, whether that word is "reservation" or whether it is "reservations"—whether it is in the singular or in the plural.

The VICE PRESIDENT. There is an "s" on the end of the word. It is plural.

The Chief Clerk continued the reading of the proposed unanimous-consent agreement, as follows:

known as the Swanson reservations, and that in the Committee of the Whole any amendments or reservations which were properly filed on yesterday before 1 p. m. will also be considered; and that when the Swanson reservations have been perfected the Senator from New Hampshire [Mr. MOSES] and Mr. WILLIAMS, of Missouri, respectively, may have the privilege at that time of offering their substitutes which they have offered; and the Senator from New Hampshire waives all consideration of amendments to the statute of the court contained in his substitute.

Mr. BRUCE. Mr. President, I want to say to the Secretary, in view of the additional emphasis that he placed upon the words, that I think I am justified in saying he has such a singular way of pronouncing some words that it is impossible to tell whether they are singular or whether they are plural.

Mr. WATSON. Let us have them spelled.

The VICE PRESIDENT. Is there objection?

Mr. REED of Missouri. Mr. President, I am giving my consent to this proposition purely as a matter of procedure. I am reserving the point that all of the proceedings we are now engaged in are illegal and void, contrary to the Constitution, and contrary to the rules of the Senate.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered into.

The unanimous-consent agreement as finally reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered by unanimous consent, That the Senate, as in Committee of the Whole, will now proceed to the consideration of what is commonly known as the Swanson reservations, and that in the Committee of the Whole any amendment or reservations which were properly filed on yesterday before 1 p. m. will also be considered, and that when the Swanson reservations have been perfected the Senator from New Hampshire [Mr. MOSES] and the Senator from Missouri [Mr. WILLIAMS], respectively, may have the privilege at that time of offering in the Committee of the Whole the substitutes which they have offered, and the Senator from New Hampshire waives all consideration of amendments to the statute of the court contained in his substitute.

The Senate, as in Committee of the Whole, proceeded to consider the reservations proposed to the protocol.

Mr. MOSES. Mr. President, under the time limitation I offer the reservation which I send to the desk as an additional reservation to Senate Resolution No. 5.

Mr. LENROOT. In accordance with the agreement, the first Swanson reservation would be the pending question. Of course, the Senator may offer his proposal and speak upon it.

Mr. MOSES. To that I offer this reservation as an amendment.

Mr. LENROOT. Very well.

The VICE PRESIDENT. The Secretary will state the amendment.

The CHIEF CLERK. Mr. MOSES offers the following reservation to the protocol of signature of the statute for—

Mr. LENROOT. In accordance with the agreement, I ask that the first Swanson reservation be stated to the Senate as the pending question.

Mr. WATSON. That is right.

The VICE PRESIDENT. The Secretary will read the reservation.

The CHIEF CLERK. On page 2, line 8, of the modified resolution, reservation No. 1:

That such adherence shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the treaty of Versailles.

Mr. MOSES. Mr. President, to that I offer the reservation which I have sent to the desk as an additional paragraph, and I ask that it may be read.

The VICE PRESIDENT. The reservation will be read.

The CHIEF CLERK. It is proposed to add, after line 11, the following as an additional paragraph:

That the adherence of the United States to the statute of the World Court is conditioned upon the understanding and agreement that the judgments, decrees, and/or advisory opinions of the court shall not be enforced by war under any name or in any form whatever.

Mr. MOSES. Mr. President, in view of certain representations which are made to me, I withdraw that reservation for the minute and ask that the reading proceed.

Mr. HEFLIN obtained the floor.

Mr. KENDRICK. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Wyoming?

Mr. HEFLIN. I yield to the Senator from Wyoming.

Mr. KENDRICK. I desire to present memorials signed by 80 signers of Pinebluff, Wyo., protesting against the entry of the United States into the World Court. I ask that these memorials be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. REED of Missouri. Mr. President, I object to the receipt of petitions, memorials, and writings on this subject matter at this time, when we are under limited time. I could bring in a wagonload of them.

Mr. ROBINSON of Arkansas. Mr. President, I think I ought to say for the benefit of the Senator from Wyoming that under the rules of the Senate a petition can not be presented while a Senator has the floor for the purpose of discussing a question, except by unanimous consent; and since the Senator from Missouri objects, I suggest to the Senator from Wyoming that he withdraw the request.

Mr. KENDRICK. I will withdraw it for the present.

Mr. ROBINSON of Arkansas. Of course, the practice has been prevailing here of presenting petitions under the same circumstances as now exist; but if the Senator from Missouri sees fit to object, it can not be done.

Mr. FLETCHER. Mr. President, a point of order.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Florida?

Mr. HEFLIN. I yield.

Mr. FLETCHER. I rise to inquire just what is before the Senate? Are the Swanson reservations now before the Senate?

Mr. LENROOT. The first one.

The VICE PRESIDENT. Reservation No. 1.

Mr. FLETCHER. Has it been read?

Mr. ASHURST. It has.

Mr. FLETCHER. So that reservation No. 1 is now before the Senate?

The VICE PRESIDENT. It is.

Mr. HEFLIN. Mr. President, I desire to say only a word in regard to the speech the Senator from South Carolina [Mr.

BLEASE] delivered here yesterday. The Senator seems to have missed entirely the point that I made in my speech a few days ago. I was not trying to prevent the Senator from paying any eulogy that he might desire to pay to Senator Lodge. I was simply calling the Senator's attention to the fact that he attacked and criticized President Wilson here in the Senate, a man who was born in the South, and who, while President, placed four southern men in his Cabinet. He was criticized most severely in some other sections of the country because, they said, he had put "the South in the saddle." I was criticizing the Senator for attacking President Wilson in one breath and eulogizing Senator Lodge in the next breath; and I cited the fact that one of the most outstanding things in Mr. Lodge's career was his effort to pass the force bill of despised memory which would have destroyed Anglo-Saxon civilization in the South.

If the Senator from South Carolina prefers to eulogize a leading Republican, rather than praise a great Democratic President and one of the greatest men the Nation has ever produced, that is his business. Every man to his taste; and if the Senator desires to do that, he is at liberty to do so.

The Senator was mistaken when he said that the South had ordered cloture. We have not applied cloture. The rule that we have invoked is not cloture. We have not stopped debate. We have simply limited debate, and we have shown by that action that the Senate has rules now under which it can transact business without changing the rules at all. We undertook to get an agreement as to when debate should close and a vote be had, but the opposition Senators would not agree. It would be ridiculous for sensible men, men entitled to sit in this body, to sit here throughout a session and permit one man by his objection to prevent the Senate from voting on an important question. The reason for adopting the rule that we invoked on yesterday was to meet just such a situation as that. We were simply providing ways and means for getting a vote on a question that has been before the Senate for three years.

Mr. President, let me remind you, lest we forget, that the World War cost the United States nearly \$40,000,000,000, and we were in it only 18 months. But that is not all that it cost. It takes more than money to satisfy the thirst and hunger of this cruel and remorseless monster called war. He was not satisfied until he had called from the peaceful pursuits of life 4,000,000 brave American boys into training camps to prepare for action in the bloodiest war of the ages. He broke the bodies of thousands of them on a foreign battle field, and left them lame and halt for life. He struck down and brutally murdered tens of thousands of them, and buried them in a strange land 3,000 miles from home. He silenced the voices, closed the eyes, and stopped the heart beats of 300,000 brave American boys, and hung crepe on the doorposts of 300,000 American homes, where fathers and mothers, sisters, brothers, and sweethearts still long—

* * * For the touch of a vanished hand
And the sound of a voice that is still!

He caused the war-cursed countries of the Old World to resound with the cries of widows and orphans, and he filled all Europe with lamentations and sorrow. He murdered 10,000,000 boys, and destroyed the peace and happiness of many millions more. He slew more men in one brief murderous rampage than all the wars of the past have slain in all the history of the human race.

Senators, is it not time to do something to prevent war in the future? That is not all that this war monster has done. He devoured more than half the wealth of the world. When he began to destroy life and property on such a colossal scale he did not confine his cruel activities to land. He went out upon the high seas and murdered people who were carrying food and clothing to human beings in distress. He sunk merchant ships engaged in international trade, and disturbed and crippled the commerce of nearly, if not quite all, the nations of the earth. He sent to the bottom of the sea thousands of tons of food supplies being carried to starving women and children. He trampled under foot the most sacred international agreements, and denied to the free peoples of the earth the use of the free seas. With the destructive implements of modern war, in his first experience with poisonous gas, liquid fire, shrapnel, giant field guns, airplanes, and submarines, this monster called war in four years' time killed 10,000,000 boys and consumed half the wealth of the world. Will not this astounding fact awaken us to the importance of doing something to prevent war?

Lord God of hosts, be with us yet,
Lest we forget.

Senators, have you forgotten how the World War broke out without a moment's warning, and how much we deplored

it, and how we tried to remain out of it, and how we were drawn into it against our wish and over our protest? Have you forgotten the terrible price that we paid in blood and treasure to put down a war that we had nothing to do with bringing on? If, as matters now stand, a war is commenced in Europe, and we are forced to join with other nations to help put it down, is it not the part of prudence and wisdom, when that war is ended, that we should form an association of peace-loving nations for the purpose of using our influence to discourage and, if possible, to prevent the recurrence of another such war? Is it not better in time of peace to join in with other nations that love peace in the matter of promoting peace rather than to wait until the lessons of the last war shall have been forgotten?

When the armistice was signed and hostilities ceased, this grim monster, laughing with ghoulish glee at the misery he had produced and the ruin he had wrought, said:

You are not through with me yet. Those who remained at home in field and factory and in the marts of trade shall be stripped of their substance by conscienceless money lords, hiding behind the smoke screens of a panic that they will have an excuse to raise because of war.

His prophecy came true. Here in the United States business was paralyzed, factories closed. The hum of wheels and the roar of industry ceased. Seven million men and women were driven from profitable employment. Thousands of merchants were driven into bankruptcy, while banks failed by the hundreds. The cattlemen and grain growers of the West and the cotton producers of the South were held up and robbed of the accumulations of a lifetime. They used the smoke screen of a panic in the aftermath of war to hide behind while they filched from the hands of patriotic men and women the Government bonds they had bought to help their country win the war. They sent their agents over the country buying up the bonds for \$80, \$82½, and \$85 on the hundred. So those who responded to the call of duty and supported their Government in the hour of its peril were punished and robbed through a panic which war had enabled greed and avarice to produce.

CITY OF REFUGE

Following the World War the money lords of England did as the money lords did here, locked up the money supply, contracted the currency, and deflated credits, precipitated a money panic, and started an economic warfare between poor tenants and landed aristocracy, between capital and labor, that has filled the statesmen of old England with a feeling of unrest, uncertainty, and dread, and has caused uneasiness even to the head that wears the crown.

O cruel and brutal war, how many crimes by reason of and incident to your murderous activities have been visited upon the children of men!

The war presented opportunities for extortion and graft upon the Government, and conscienceless profiteers here at home hid behind the smoke screens of war and, in ways that were dark and devious, filched many millions of dollars from the Treasury of the United States. War is a despicable and costly thing to patriots always, but it is a welcome and profitable institution to some. Paul was right when he said—

The love of money is the root of all evil.

There were money lovers in America who seemed glad that the World War had come. Many of them took advantage of their country's misfortune, and in the hour of its peril held the Government up and rejoiced that they, through crafty and corrupt practices, were able to boast that they had made their millions. To them war means an opportunity and an invitation to enrich themselves at the expense of their country.

What care they for wrongs and crimes?

It is dimes and dollars, dollars and dimes.

They do not want a world court or an international tribunal of any kind that will prevent war. They care more for the money that they can make out of war than they do for all the lives of all the boys that may be sacrificed in war.

General Sherman was right when he said: "War is hell." And yet the war of his day was as a May morning zephyr when compared to the iron storms of the great World War. That war was the most cruel, the most costly, and the most destructive of all the wars of the past. War has become so dangerous and deadly that it behooves every intelligent and peace-loving nation of the earth to become keenly interested and wholeheartedly active in establishing and keeping alive a world influence that will constantly be on guard, doing all in its power to discourage and prevent war.

Senators, we go into international agreements and have international understandings about our commerce and our international trade. Are not the peace and happiness of our people,

the protection and prosperity of our boys, as dear to us as the sale of the products of our farms and mines and factories? Why is it that when we suggest that the nations get together on some international plan for the prevention of war that certain people and certain interests cry out against it? It is because war furnishes an opportunity to some people to make millions on war supplies of various kinds while the war is in progress and furnishes an opportunity and an excuse for others to interfere with the finances of the country, to paralyze business and produce financial panics in order to rob the people when the war is over. It is, I think, safe to say that 100,000 men here in the United States during the war and after the war made, by reason of the war, hundreds of millions of dollars. It is safe to say that these people are against any kind of international agreements that will promote peace and prevent war. These people and these interests want to leave us standing aloof, isolated, so that when an inviting war situation presents itself anywhere they can do whatever is necessary to plunge this country into war. All they have to do now is to have somebody somewhere fire upon the United States flag or upon an American ship somewhere at sea and then we are immediately drawn into the war. Why not think of the boys in our American homes who must go out to battle and die when war comes? Why not consider the happiness of the families from which these boys will be called? One of the greatest questions that now confronts the world is how to prevent war in the future.

I had rather the constituted authorities of my country would aid in setting up a world court or some other international peace tribunal to discourage and prevent war than to stand aloof and withhold my country's aid and influence from the cause of peace, and, having denied her the right to have a voice in preventing war, leave her course to be determined by designing men to whom war offers opportunities to make millions.

I had rather that those whom the people have chosen to represent them in the Congress and in the White House would provide a way for the United States to be helpful in establishing a plan for promoting peace and preventing war rather than to be indifferent, and in refusing to take an affirmative stand on the side of world peace permit my country's peace and war status to be left hanging in the balance and determined by those who make money by reason of war. I repeat, if a war starts anywhere now, those who make millions out of war can do the thing necessary to involve us in such a war.

We want a world tribunal doing all in its power at all times to promote peace and prevent war. No higher service could be rendered to the human race. Hereafter, if war is threatened anywhere on earth, the World Court's influence will be immediately felt to prevent it. Not only that, but the whole world will be informed as to the true situation and kept informed as to the influences used and the plans suggested to prevent war.

If such a tribunal had been in existence prior to 1914, the cruel and murderous World War, with all its infamies and horrors, would have never occurred.

The people of the United States are a peace-loving people. We do not wish to interfere with or harm in the least any other nation, and when we join with other nations to promote peace and prevent war we do not in any manner whatever surrender any of our rights as citizens of the United States or any of our rights as a government. We are simply, as a people, taking a stand on the side of peace and against war and desiring to do what we can along with other peace-loving nations to prevent war, and we are willing to pay the expenses of our representative on the World Court and our fair share of the running expenses of such an international tribunal, whatever you wish to call it.

The World War came, and we were drawn into it, and we had no voice in preventing it, but it cost us in money many billions of dollars, and when the war ended it was costing \$1,000,000 an hour, and \$1,000,000 is more money than it will cost all the nations in the World Court to keep it going in the cause of peace for a whole year. It will not cost as much to operate it and keep it going for 10 years as the World War was costing just before it ended to keep it going for 10 hours.

The able Senator from Tennessee [Mr. Tyson] has pointed out that our part of the expenses in keeping the World Court going will be only \$30,000 a year.

This tribunal is simply a world watchman on the tower, where none has ever been before, keeping the nations of the earth informed as to every move that affects the lives of human beings and the peace and happiness of the world. I repeat that in joining in a world movement to promote peace and prevent war we do not surrender a single right that is ours under the Constitution of the United States. Our domestic affairs remain just where they were. All domestic questions, like immigration, for instance, will be settled by us and nobody

else. So far as the United States is concerned, under this plan no war could ever come that would involve us unless and until the United States Congress should declare war. So we are just where we were before, so far as our home problems are concerned. Mr. President, in joining this international tribunal we are not hurt in any particular, but we are greatly helped and benefited by being placed in position to know what is going on, and especially in having an opportunity to use our influence in preventing war.

Some Senators will support a world movement to stamp out and prevent the spread of the foot-and-mouth disease among horses and mules and cattle, but they will speak here till they almost fall in their tracks in opposition to a world movement against a monster that devoured 10,000,000 boys in less than four years' time and crippled and disabled many millions more.

Here is what President Coolidge said about the World Court in his message to Congress:

This court would provide a practical and convenient tribunal before which we could go voluntarily, but to which we could not be summoned.

This World Court is set up for the purpose of having and keeping in existence a peace tribunal to which the nations of the earth can go and settle their differences without going to war.

Mr. President, perhaps the most perfect government that ever existed was the theocracy established by God himself. In it was a city of refuge to which the poor and oppressed or any person attacked or sought to be injured could flee for safety. His enemies might pursue him, but if he ever once reached the city of refuge they dared not lay their hands upon him.

I want to see my country do her part in creating a great international city of refuge to which the war-weary nations of the earth can go without the shedding of blood and settle their differences in the halls of peace.

We solemnly promised our boys, those who died on a foreign battle field and those who were spared the terrible fate of their departed comrades, that if they would put down that war we would do everything in our power to prevent the recurrence of another such war. That promise has not been kept. I had rather be classed with those who contributed to peace and human happiness, to safeguarding and prolonging the lives of the youth of all lands, than to bask in the approving smiles of the time-serving, war-promoting international highwaymen of the earth.

Mr. President—

Once to every man and nation comes the moment to decide
In the strife of truth with falsehood for the good or evil side.

Every day about the hospitals, in the parks, and in the streets of Washington we can see the effects of the last terrible war in the lame and halt and blind. They remind us—some of us—of our promise to do what we could to prevent war in the future, and some of us are reminded that that promise has not been kept. Some of us feel that if foreign countries are good enough to fight with in order to put an end to a war that was forced upon us that they are now good enough to cooperate with in time of peace purely and wholly for the purpose of preventing another such war. Again, let me ask, Have Senators forgotten that the last war was the most expensive and most destructive of all the wars of the world? That it was costing a million dollars an hour in the closing days of the war? Have Senators forgotten that that war forced us to draft 4,000,000 men and sacrifice more than 300,000 brave boys on the altar of war? I ask again, Have they forgotten that that war cost the United States nearly \$40,000,000,000? Jefferson said, "Preach a crusade against ignorance." When I recall the pain and misery and bloody butchery of the last war—its poison gas, liquid fire, and death-dealing shrapnel, its staggering cost in blood and treasure—I feel it to be my duty and the duty of my country to preach a crusade against war.

Eight years have come and gone since the curtain went down on the bloodiest war of the ages. It was the most cruel and most destructive war in all history. Not thousands and hundreds of thousands, but millions of men went down to death through the slaughterhouse of that terrible war. It sent the death angel into millions of homes! It called our boys from home, loved ones, and the joys of peace to die in a war that should never have broken out in the Old World. Where are the 10,000,000 boys that were living in 1914? Call the roll! And the mournful answer comes—dead! Ten million boys in four years' time passed through the valley of the shadow of death.

Senators, they loved life, those boys growing up toward man's estate, and they had a right to live. But war, grim and monstrous murderer, plucked them out of the ranks of the living,

broke their young bodies, and drank their life blood. Call the roll! The answer comes ten millions missing—dead in battle—dead! Ten million human beings, made in God's image, brutally murdered in the morning of life, and that is the terrible toll of just one war!

Mr. President, war dwarfs and starves little children. It murders the youth of the country and robs and destroys the homes of the people. It is the cruel and brutal agent of oppression and tyranny. Its music, the tread of armies, the thunder of artillery, and the groans and wails of the wounded and the dying. In its wake lie broken hearts and ruined homes, and its path is red with human blood and paved with dead men's bones. It has torn down the habitations of the people and destroyed the peace and happiness of millions.

When the World War was raging the man power and financial resources of our country were called upon as never before in our history. Then we were doing everything in our power to end the war in victory and declaring it to be our duty and purpose when the war was ended to lead in a movement to establish an international tribunal to make another such war impossible. Then this raging monster called war was feeding on the pick and flower of the manhood of the nations and endangering the liberty of the world. And then the Congress of the United States was making ready to call into the service every physically fit boy and man between the ages of 18 and 45 years. Then, when submarines were destroying hundreds of shiploads of food and threatening with starvation the allied armies and the allied nations, the Congress of the United States established Government supervision over the food supply of our own country, and the orders of Government agents telling us what to eat and what not to eat were sent into the homes of a hundred millions of people. All this was forced upon us by a war which never would have started if we had had an international peace tribunal or World Court.

Nearly everything is in a way a risk and a venture. When our fathers and mothers were making ready to come over to America in the early days they were warned against such an adventure. They were told that Indians were here, and they would all be murdered, but they came. Yes; and they warned and tried to frighten our forefathers against an attempt to achieve their independence.

I recall, Mr. President, statements made by the pessimistic prophets of evil in connection with what occurred in the days of the thirteen Colonies when Washington was leading the colonists in the War of the Revolution. Those prophets of evil were here and they said Washington was foolish, that he was going off on a wild-goose chase and attempting the impossible, that we could not achieve our independence. And I recall that in those days in the city of New York they even burned Washington in effigy and erected a leaden statue to George III. But after the scales fell from their eyes and they no longer looked as through a glass darkly, they tore down the statue of George III and melted it into bullets and fired them into the ranks of the British Army. Then they hailed Washington as their chieftain and as their deliverer. But it seems that we must have these pessimistic prophets of evil with us always.

Now, Mr. President, I want to ask and answer in plain English some questions about the World Court.

FOURTEEN QUESTIONS AND ANSWERS

First. Does the entrance of the United States into the World Court, safeguarded as it is by the Swanson reservations, in any manner whatever give that court jurisdiction over any of our domestic rights and interests? No.

Second. Does the entrance of the United States into the World Court in any way give that court jurisdiction over any question of dispute between the United States and any other nation unless the United States shall hereafter by governmental action specifically give her consent to have such a question submitted to and considered by the World Court? No.

Third. Is it specifically set out and provided for in the measure creating and governing the World Court with the Swanson reservations, which have been agreed upon, that that court shall not take or have jurisdiction over any dispute between one nation and another unless both nations request and agree that it shall do so? Yes.

Fourth. Can the World Court consider and pass judgment upon any case where the interests of the United States would be affected unless the United States Government consents for it to do so? No.

Fifth. If the United States becomes a member of the World Court, will that fact in any way confer upon the World Court or upon any other international tribunal in any way connected with the World Court the right or power to direct or ever suggest that the United States shall furnish money and arms to help prosecute any war anywhere? No.

Sixth. If the United States does become a member of the World Court, does she do so with the understanding that the status of all her rights and interests as a nation shall remain the same as before she became a member? Yes.

Seventh. If the United States becomes a member of the World Court, will such membership in any way deprive the people of the United States of the right which is theirs under the Constitution to have their Congress determine at all times and under all circumstances just when war shall or shall not be declared? No.

Eighth. Is there any power anywhere in the provisions of the measure creating and governing the World Court that can take or that even undertakes to take away from the Government of the United States her right to determine by herself and for herself at all times when she will or will not go to war? No.

Ninth. Is there any provision under which the temporary representatives of the nations of the earth in the World Court, including those of the United States, could agree upon, even if they wanted to, that would or could deprive the people of the United States of their constitutional right to have their Congress, and no power but the Congress, to say when and under what circumstances war shall be declared? No.

Tenth. Then is it our desire and purpose in creating the World Court to establish an international tribunal to provide a place to which disagreements between one nation and another may be carried by the consent of both nations in a sincere effort to arbitrate and adjust such differences in the interest of right and justice and peace? Yes.

Eleventh. Is it true that the providing of a world court or international arbitration board where international disputes can be carried and settled is for the purpose of encouraging settlement of differences by arbitration and discouraging and preventing war and therefore for the purpose of saving the lives of hundreds of thousands of human beings who would surely die if war should come? Yes.

Twelfth. Then the purpose in creating a world court is to provide a place where international disputes may be settled and can be settled in a peaceful way if both parties interested agree to submit their cause to the court? Yes.

Thirteenth. Is not such a court, created by the will and common consent of the nations, providing a place to which disagreements between one nation and another may be taken if both nations agree, a wonderful step forward in the interest of world peace? Yes.

Fourteenth. Is not this attempt on the part of more than two-thirds of the Senate to set up an international peace tribunal or World Court, to which nations may go with the disputes between one nation and another and ask that they be settled without going to war and killing hundreds, thousands, and maybe millions of human beings, in keeping with the teachings of Jesus of Nazareth, the Prince of Peace? Yes.

Then why not go in and let our influence be felt on the side of peace and against war?

WORLD PEACE

Senators, have you forgotten the sad and exciting scenes witnessed all over the United States when our boys first heard the call to arms and bade father and mother, wife, and sweetheart good-by as they went away into a foreign land to help put down a war that they did not bring about and could not prevent? We saw them go away buoyant and strong, with a look of determination on their faces and the light of battle in their eyes. They gave a good account of themselves on the battle fields of France. They performed their duty with lasting credit to themselves and enduring honor to their country. They did their part and our country did its part in putting down that war. Will we now fail to do our part in joining with other nations to prevent the appearance of another such war? Shall we, the greatest single peace force in all the world now, stand aloof and refuse to use our national good will and influence along with other nations in an international movement to prevent war in the future? Senators, have you forgotten how the casualty list of our dead and wounded grew from the time we entered the conflict till the close of that terrible war? Do we no longer remember how American fathers and mothers read that list every morning in the newspapers, and read it with fear and trembling each day, praying as they read that their boy's name would not appear in the list of the slain.

Mr. President, the Congress that has the power to declare war and the power to compel the citizen to leave his home and loved ones to go to the battle front and give his life, if need be, in the cause of his country, ought not now to hesitate to permit the country to use its moral influence in time of peace to oppose and if possible prevent war. If we were willing to call 4,000,000 of our boys into the military service and willing to expend billions of dollars in helping to end a foreign war that slapped our Nation in the face and forced us to fight

to protect and defend our own rights and liberties, we should be quick and eager now to give the weight of our influence to an international movement in which the same foreign nations—those who fought side by side with us in the World War—are found striving to create an international peace movement to prevent another such war. I am in favor of having a representative of the United States sitting in an international peace tribunal, ever lifting his voice and using his influence on the side of peace.

We helped to end the last war. Let us now join in with other nations and do everything that we can to prevent war in the future. Medical science in its fight against disease is more concerned to-day in preventive measures than anything else. How to keep the human race well and fit for the duties and responsibilities of life is the paramount question.

Time was when the demon of typhoid fever stalked abroad in the land spreading terror amongst the people and killing thousands and tens of thousands. But the crusading men of genius and vision in the medical world declared that they would carry on their fight against him until they could enable every home in America to fortify itself against his secret and insidious attacks and render him helpless and harmless. They succeeded in doing that. They can inject a serum into the human body and prevent the person so treated from having typhoid fever at all.

There was another demon in the old days called diphtheria. He crept noiselessly and unseen into the homes of all christendom and blew his poisonous breath into the mouth and nostrils of sleeping babes, sending into their little tender throats the disease germs of certain death. And the men of the medical world set themselves to the task of preventing diphtheria, and to the joy of every father and mother in all christendom they have succeeded in doing so.

Senators, another demon known as tetanus in medical phraseology, but known generally as "lockjaw" amongst the people. He used to quietly creep upon those who had been wounded in their daily work in the peaceful pursuit of life and drop in the poisonous germs of death. Men of the medical world continued their warfare upon tetanus, or lockjaw, until they have not only provided a certain cure but a serum that will make the patient immune to the disease ever after. But, Mr. President, some of the doctors in those days warned fathers and mothers and patients not to even think of trying the new remedy, but the fathers and mothers who saw the old remedies fail said no harm can come in trying the new.

The time to prepare against war is in time of peace. As I said in substance a moment ago, the United States Government is spending thousands and hundreds of thousands of dollars to protect our horses, mules, and cattle against the spread of the dreadful foot and mouth disease, and I repeat we are cooperating with other nations and spending hundreds of thousands of dollars to protect our hogs and preserve their lives against the ravages of hog cholera. What are we doing to cooperate with other nations to prevent war and preserve the lives of our American boys?

President Wilson is the first man that ever started an effective world movement against war. Through the hitherto long and unchallenged reign of war nations have burdened and oppressed their people with taxes to provide for and carry on war. President Wilson taught the world the importance and feasibility of organizing the peace-loving nations of the earth into a mighty world force to promote peace and prevent war. He broke his health and shortened his life preaching a crusade against war and urging the creation of a world tribunal to secure and keep the peace of the world.

Senators, the gloomy and pessimistic prophets of evil would have us believe that the foreign countries, almost ruined financially and bled white by the World War, are not interested in preventing war but are simply setting a trap for us, the people who won the war, saved their lives, saved their countries, and saved the liberty of the world; that they are now simply seeking to injure and cripple us, the most liberty loving and greatest peace force in all the world. Remember that ten millions of their sons have been murdered by war in the last 10 years. Are we, as intelligent men—men worthy to sit in this body—to accept the theory that the bereaved fathers and mothers, sisters and brothers, wives and sweethearts across the sea are really trying to inveigle us into doing something that will produce wars rather than prevent them—are trying to provide means by which their peace and happiness may be destroyed, and their sons, husbands, and sweethearts may be killed by the millions in the future? How absurd and ridiculous!

I am convinced that a real peace plan with the United States in it will guarantee the peace of the world for at least a hundred years, and the money that is being taken from the

people of foreign nations to provide for and carry on war will be spent, much of it, for cotton and meat and grain and other things produced in the United States.

Christ told his disciples to go into a certain city and enter the homes of the people; and if they would not receive them and the truth they brought, to withdraw and shake the dust off their feet as they departed.

Senators wonder why we should want to go into the World Court, and then provide that we may withdraw if we want to do so. We are offering them our good offices; we shall be sitting there for the purpose of promoting peace; but if we find that the court is organized for some other purpose we have the right and we have the way provided through which we can get out. Mr. President, if we should not declare our right to get out, then these pessimistic prophets of evil would complain because of our failure to do so. They are very hard to please, indeed.

Opponents of the World Court resolution ask, "Why go into the court at all? Why not stay as we have always been?" Mr. President, the effort to create an international peace tribunal for the purpose of promoting peace in the world has been made necessary by the horrors and sorrows of the great World War.

Modern war has become the deadliest enemy of the human race.

Again I say, how to prevent war in the future is the greatest problem confronting the human race to-day.

The number of human beings killed and the amount of money spent during the last great war have convinced the peace-loving nations of the earth that they must unite their strength in a world-wide movement to prevent war in the future.

It is quite natural that such a movement should follow the great World War.

Those of you who are trying to keep the nations divided and standing apart are playing into the hands of those who profit by war. You can not stop this great movement. God is in it, and above the noise and confusion sought to be created by some of the opponents of this measure we can hear the voice of the Master:

Blessed are the peacemakers, for they shall be called the children of God.

You can not stop this movement which looks to "Peace on earth and good will to men."

If you dam up the river of progress, at your cost and peril let it be. It will break down your dam and, despite you, make its way on to the sea.

The men and women of vision, Mr. President, and the men and women of faith are the ones who have been of real value to the human race. Everyone who knows anything knows that we had nothing to do with bringing on the last great war. We were here at home attending to our own business; but we were drawn into that war when we were here at home attending to our own business, and we had to form an alliance with other nations to fight that war to the end, and we pledged every dollar that we had and every drop of blood to help put that war down.

And may we not, in all propriety, now join with our allies and other peace-loving nations to help keep war down?

May we not now, in all propriety, go in and sit with other peace-loving nations, and by our presence show that we are not only ready and willing but anxious to use our influence on the side of peace?

The old system, with its secret diplomacy and hidden intrigues, constituted the hotbed and breeding place of war.

We are seeking to get away from the old system, we are seeking to have all international cards laid upon the table and have all international agreements openly arrived at, and we are asking that all the decisions of the World Court shall be made public. Are not all these things desirable and commendable?

We are setting up this international tribunal for the purpose of uniting the peace-loving forces of the earth into a world-wide movement to promote peace and prevent war.

Are not all these things desirable? Senators, in the name of the boys now living and of millions yet unborn, I appeal to you to join with us in supporting this world tribunal to prevent war.

War, this grim and murderous monster, does not call to battle the weak and feeble men of a country. He calls the strong and vigorous, the pick and flower of its manhood; and wherever he breathes forth his blighting, poisonous breath and lifts his deadly hand there are suffering, sorrow, and death.

Mr. President, those who make millions out of war do not want to put out of commission or destroy the agencies that create war. A few years ago, here in the United States, the wolf problem became one of great moment to the flockmasters or sheep raisers of the West. Great droves of wolves devoured sheep by hundreds and thousands. The sheep owners employed scores of men to guard their sheep and shoot the wolves, but the wolf problem was too great and too expensive for them to solve it by themselves, so they called upon the Government of the United States to help in the war of wolf extermination. The Government employed men to go there and stay there until that work was done.

But, Mr. President, there is a strange and interesting story to the effect that when more than three-fourths of the wolves had been killed, and wolf extermination was about to be accomplished, it suddenly dawned upon these Government agents that if they killed off all the western wolves they would soon be out of a job, so after that for quite a while they did not shoot to kill but indulged only in friendly firing, just enough to frighten the wolves away from the sheep, while giving the wolf pack time to increase their numbers and keep the agents on the pay roll of the Government.

But the western sheep owners discovered after a while that the wolf shooters sent out there by the Government were more interested in keeping enough wolves alive, to keep their jobs intact and their salaries going, than they were in protecting the property of the western sheep raiser or in annihilating the great enemy of the western sheep.

So it is, Mr. President, with those who make money out of war. They do not want any tribunal anywhere that will put them out of business. War to them is a delightful thing. It means millions and hundreds of millions of dollars in their pockets. Their money is being spent in a secret way now, and their propaganda is being circulated in the name of misleading societies here in a desperate effort to keep us out of the World Court. They know that if this great, peace-loving Nation ever takes her place at the council table of an international peace tribunal, war, with all its horrors, is doomed for many years to come.

Through their secret and cleverly disguised propaganda they have deceived some good men and women into believing that it would be an unfortunate and dangerous thing for the United States to give her assurance to the other peace-loving nations of the earth that she is ready to lend her moral influence to a world movement to promote peace and prevent war; that she is ready to let the world know that she is positively on the side of peace and against war.

The last great war—the World War—was not a local war. It was an international war and it required international agreements and alliances to put it down. Are we not now justified in going into an international tribunal in time of peace for the purpose of advising and urging that all nations settle their disputes by arbitration rather than by war?

In view of our recent sad and very costly experience in the great World War, is it not our duty to do what we can and employ every legitimate and peaceful means at our command to prevent the coming of another such war?

President Wilson, the brilliant, masterful, and victorious Commander in Chief of our Army and Navy during the great World War, promised our boys and their fathers and mothers that he would do all in his power to prevent the recurrence of another such war. He kept his pledge, and the efforts that he put forth are bearing fruit to-day; and while the World Court is not altogether the peace plan that he suggested, it is a world plan for world peace.

The Senator from Virginia [Mr. SWANSON], who has led this fight and who has done more than anyone else here or now living to establish an international peace tribunal, has submitted reservations which will in every particular protect and safeguard the Monroe doctrine, our domestic concerns, and our national sovereignty.

Mr. President, Austin Phelps said:

As goes America, so goes the world.

Then, since America is at last about to take her stand on the side of international peace, I believe that we are justified in predicting a long and uninterrupted reign of world peace.

In our efforts to establish a peace tribunal where we can have international disputes settled by arbitration and without the shedding of a single human being's blood are we not doing the will of the Master, who preached, "Peace on earth and good will to men"? Are not those of us who favor a fair and peaceful settlement of international disputes, instead of resorting to war and killing human beings, justified in asking the question of those who oppose us, "Who is on the Lord's side?"

The inspired word of God in the old Bible tells us of a day that is to come when—

They shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.

Mr. President, the question that we are about to determine is whether the United States will take her stand on the side of those who are seeking to promote peace in the world or continue to stand by the old war-breeding system, which has just recently produced the most destructive war in the history of the human race.

No one here is more anxious than I am to protect and safeguard in every particular our American rights and interests, and I have been instrumental in having our national interests protected in every way. I do not want to see my country moving out among the nations for the purpose of conquest or military glory, but I do want to see her opposing war and preaching the gospel of peace amongst the nations, and pointing the way, as Henry Grady, of Georgia, said, up which all the nations of the earth shall come in God's appointed time.

America, incarnated spirit of liberty, with good will toward all nations and malice toward none, but with a prayer for peace on earth and good will to men, we bid her onward and ever on—

'Till the voice of war is stilled,
'Till the haven of peace is won
And the purpose of God fulfilled.

Mr. BLEASE. Mr. President, I congratulate the distinguished Senator from Alabama on delivering what I believe to be the strongest defense that I have ever heard of the position of those who opposed the late war, and the greatest denunciation that I have heard pronounced against those who voted for it.

Mr. HARRIS. Mr. President, I am sure all Senators want to have a vote reached as soon as possible, and I do not wish to take the time of the Senate. I have received a number of letters urging me to vote for the World Court and some urging me to vote against it. I ask permission to place in the RECORD my reply to these letters, to save time.

The PRESIDING OFFICER (Mr. COPELAND in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

MY DEAR SIR: I have your letter relative to the World Court and shall always be glad to have your views on this or any other matter, as I have a high regard for you and appreciate your friendship.

The year before my last election I visited every county in Georgia and spoke at the courthouse and in most of the towns. In every speech I referred to the horrors of war, with its sorrow and anguish, and told the people that I would vote in favor of this court of justice to prevent war if I did not receive one vote for reelection to the United States Senate. I feel it my duty to carry out the promises I make to the people of my State.

Under the Constitution only Senators and Representatives in Congress can vote to declare war and send our boys to the battle field. My predecessor in the Senate voted for war, but I pray I may never have to do so. If the world could only have had a court of justice to arbitrate differences between nations in 1914, the lives of a hundred thousand American boys and millions of other lives lost in the last war could have been saved. Do you not think I ought to do something to prevent another such war? I know the horrors of war through my correspondence with the fathers and mothers of thousands of Georgia soldier boys I have helped with their claims.

I visited the cemeteries in France and saw the graves of thousands of brave American boys, and the boy I loved the best in all the world, my brother's only child and the youngest captain in the Army, was killed in France. You can understand why I should be so opposed to war, and when my term is over I can look in the faces of the mothers and tell them that it was my privilege to help find a way to arbitrate our differences so as to save their boys from death on the battle field.

When you or your neighbors differ about matters, or if two farmers are in dispute about the location of a lot line, or two business men disagree about a business transaction, you do not get your gun and kill the men with whom you differ. You go to the courthouse and both submit your side of the case to a jury of 12 men and abide by their decision instead of killing each other. Why should our country, if it has a difference with another country, send our boys to war instead of having an opportunity to submit our differences to 11 unbiased men, just as we submit our domestic differences to a jury of 12? If anyone was so unwise as to urge that we abolish juries to settle our differences and go back to killing each other with pistols and shotguns, no one would vote for such a change—certainly no Christian people would think of doing such a thing. Why not prevent our country going to war by arbitrating our differences with other nations before an impartial tribunal?

I have done everything I could to prevent foreigners from overflowing our shores and as a member of the Immigration Committee will continue to do my utmost to keep them out. Senator JIM REED, of Missouri, who is leading the fight against the World Court, differed with me in this and strongly opposed the immigration bill which I supported. I think there is a thousand times more danger to our country from overflow of Europeans than there would be in arbitrating such differences as we wish to submit to a court. From statements contained in several letters that I have received, the World Court is entirely misunderstood by some. Some letters say the Catholics will control the court, which is not the fact. The majority of the judges on the court are not Catholics. I received thousands of letters from Protestant ministers and members of Protestant churches urging me to support this court of justice, but have not received a single letter from a Catholic priest urging my support. The Baptists, Methodists, Presbyterians, Episcopalians, Unitarians, Christians, and all Protestant churches are supporting it.

The conditions under which we shall support this court are plainly and clearly set forth. One is that the court can not consider any case or question in which the United States is interested in any manner without consent of the United States. Another condition is that at any time by a majority vote of Congress we can withdraw from the court. Domestic questions, such as immigration, citizenship, Monroe doctrine, and like questions, can not be submitted to this court. Another condition is that we in no way become associated with the League of Nations by becoming a member of the court.

I feel sure you have been misinformed about the conditions under which we shall join the court and that after careful study of conditions and reservations you will approve my voting for the measure with the hope of preventing our Georgia boys ever having to go to another war.

Sincerely yours,

Mr. GILLET. Mr. President, I am sorry that the original Swanson reservations have been changed at all. It does not seem to me that the changes and additions have added materially to the security of the United States. In my opinion they are quite superfluous, and they make our adherence to the court look somewhat suspicious and grudging. However, I defer to the judgment of those who have charge of the matter and presume they were right in thinking that it was politic to make the changes; but, personally, I regret it.

I do not think that all the first reservations, even, were necessary. For instance, the very first one of the original reservations reads as follows:

That such adhesion shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the covenant of the League of Nations constituting part 1 of the treaty of Versailles.

I do not think that was necessary. I think, without that, it was clear that the United States was not assuming any obligations under the League of Nations treaty. It seems to me that the opposition, when they argue as they have, that the League of Nations is closely related to this World Court, do not prove anything material. They say that the World Court is an agent or creation or functionary or part and parcel of the League of Nations. Admit for the sake of argument that that is true. That does not prove that the United States, by adhering to the World Court, assumes any obligations under the covenant of the league. The question that decides that is, What new relations to the League of Nations does the United States assume by adhering to this treaty?

By this treaty we do just two things. We say, first, that a representative of the United States will unite with the representatives of the other nations in voting for members of the court; secondly, that we will pay part of the expenses of the court. Does that add to our obligations under the League of Nations? It seems to me clear that it does not at all. I do not think any representative of the United States will be contaminated by association with the other members of the electoral college; I do not think our money will become tainted by going through the treasury of the league; and I do not think the obligation of the United States is in the slightest degree affected by its adhering to this statute. Consequently, it seems to me that even that reservation was superfluous.

I suppose the reason why it was suggested was because the opponents of the World Court from the very outset charged that adherence to it was a step toward the United States entering the league—"entering by the back door" was their favorite expression—and I suppose it was thought politic and wise to state by this reservation that we were not assuming any obligations of the league in order to contradict that argument. Except for that purpose, it does not seem to me that there was any reason at all for even that first reservation.

Why was it that the United States did not join the League of Nations? It was because we did not wish to become entangled with the political disputes of Europe, and we did not wish to give up any right to independent action. Are those two motives in the slightest affected by joining with other nations in voting for judges of a court, by paying part of the expenses of the court, and by submitting to that court whatever disputes we wish, and absolutely no others? It seems to me preposterous to claim that that was an assumption of obligation on the part of the United States.

Of course, this court does come from the league and is favored by the league. To me, that is a matter of entire indifference. I appreciate that in the case of some Senators who were here during the very heated debates upon the league, there is left some personal and political feelings, which are not easy to forget, and which probably have not yet died out. I have no such feelings, however. While I do not want the United States to join the league, I have the kindest feelings toward it. I regret its failures; I rejoice in its successes. I hope the league will prove, as seems likely, a beneficent factor in the political affairs of Europe and may smooth out international difficulties and act as a clearing house for minor complications until it has won prestige and power sufficient to grapple with the big problems. I hope it may achieve even more successfully for Europe the good will and cooperation that the Pan American Union is bringing to this hemisphere. I hope we shall cooperate with its good work. Indeed, I hope international cooperation will steadily increase, for with nations, as with men, acquaintance and cooperation is apt to lead to friendliness and good will.

I do not think the World Court was created by the League of Nations. It seems to me the World Court technically was created not by the league, but by the statute; but that again to me is a matter of indifference. I do not care so much for its origin as for its effect. I am not so much interested in its pedigree as in its progeny; and if it will accomplish the results that I wish, then it matters little to me whether it is of American or of league origin, although it gratifies my national pride to know that America has long and steadfastly urged this very project; and it gratifies my personal feelings and increases my confidence in the court to know that one of the most influential agents in the formation of the procedure of the court was that wise, far-sighted statesman, Elihu Root, to whom to-day is as applicable as to any living man the epigram of Mackintosh—

A name that would add authority to truth and furnish some excuse even to error.

It is not surprising that Mr. Root has been quoted during this debate by men on both sides. Criticisms he made of the court have been cited. I do not suppose anybody in all the 50 nations that compromised on this court was entirely satisfied with it. I do not suppose there was a statesman who did not feel some criticism of it. But I want to remind you that, despite Mr. Root's strictures, which have been read, yet he believed that the benefits of this court were vastly greater than its defects, and he is heartily and earnestly in favor of the adherence of the United States to the protocol.

I can not see how sending a delegate to vote for members of the court in conjunction with representatives of other nations and sharing in its expenses and submitting to its jurisdiction and decision in such cases as we choose is going to entangle us with European problems or league interests or jeopardize our independence of the league.

On the other hand, to refuse to support the court would show indifference to the great cause of judicial settlement of international disputes, which is the most helpful pathway to peace and the one which America has most persistently followed, and our action now is awaited with eagerness by the whole world. To join will give new heart to the peace lovers; to refuse would discourage them. And when the League of Nations, following the lead of the United States in The Hague conventions, adopting the spirit and the letter of American statesmen, formulates this enlightened plan for a World Court I think we ought to welcome it with gratitude and hopefulness.

Coming to the new reservation about advisory opinions, I do not approve of that change. It seems to me quite superfluous. It does not seem to me that without that reservation there is reason to fear that any advisory opinion would either be asked or given in the future which would affect the United States.

I was one of those who would have preferred that the court did not have any jurisdiction at all to render advisory opinions, but that jurisdiction was given to them, and I must confess that experience so far has justified the experiment. The action of the council so far in referring matters to the World Court has enhanced its reputation.

The council, of course, is a political body. It is supposed to act from motives of political expediency, and all the questions which the council has submitted to the court the council had the right to decide without any such opinion. They could have decided them on political lines. But the council, instead of doing that, did what they were not obliged to, and referred the legal questions to the court and agreed to abide by the decisions of the court. Thereby it seems to me the council has enhanced its standing in the opinion of the world as a body trying to do what was right and fair and just instead of what was politically expedient. Therefore it seems to me that so far the conduct both of the council and of the court have strengthened the arguments of those who thought the court ought to have jurisdiction to render advisory opinions.

The court action in relation to those opinions has been exactly what those who favor the court and those who oppose the court approve. They have notified all parties in interest of the hearings; they have had the hearing in open court; they have had it conform exactly to judicial proceedings; they have given their opinions publicly in all cases where the different parties in interest came before them, and in the only case where one of the parties refused to submit to its jurisdiction the court refused to comply with the request of the council and decided that they would not render any opinion. That is exactly what I suppose everybody in this Chamber desires and approves. And under this practice they could never render an advisory opinion affecting us unless we submitted to their jurisdiction.

It is suggested and, of course, it is true that the court might reverse itself. In the case where it refused to give an opinion because one of the parties refused to appear the decision was by a vote of 7 to 4, and it is said that some of the 7 might go over and join the 4. Of course, that is possible, but it seems to me it is utterly improbable, so improbable that I do not consider it a danger. The judges of a court are actuated by human motives, like the rest of us, and every court and every judge is jealous of the power and of the independence of the court. Therefore having once declared its independence of the council, having asserted that it had a right to decide for itself whether it should give an opinion or not, and was not bound by the request of the council, was not subject to the orders of the council, according to all principles of human action the court in the future will be vastly more likely to hold to that opinion than to reverse it. The 4 will be much more likely to go and join the 7 in upholding the independence of the court than the 7 will to go and join the 4. Particularly after the explicit statement of the United States that we will not be bound by an advisory opinion which affects it, unless it consents, the World Court will be very slow to reverse itself.

No court is seeking to make a breach with any great country. Therefore the great probability is that, instead of reversing themselves, they will affirm the ground which they have already taken.

Indeed, I would go farther than that. I do not think there is any danger that the council, political body that it is, would ever request the court to give an advisory opinion where the United States was interested and where the United States objected, because, while the council may be perfectly willing to flout the United States, the council does not care to be flouted by the United States, and we have given them notice that if they do request such an advisory opinion we will not regard it. Therefore it seems to me the council would never ask the court for an advisory opinion which they were sure would not be regarded by the party to be affected thereby. Of course they have a right to ask it. As Burke said, "Man has a right to shear the wolf." But they are not very likely to engage in such an unprofitable occupation.

So I do not think that without this reservation there would be the slightest danger that the United States would ever be affected by an advisory opinion. I do not think the council would ever ask one or that the court would ever yield to such a request.

This reservation will not lessen the opposition in this Chamber to the World Court, though it may remove one talking point, but I suppose it is possible that it may relieve some honest apprehension.

I fear that on both sides of this general question there has been much exaggeration. I do not refer to Senators particularly, but in the debate that has been going on in the last three years throughout the country I fear that those who are in favor of the World Court have exaggerated the benefits that are to come from our entrance, and I fear that those who have opposed the World Court have exaggerated the dangers.

We are not going far toward world peace, which is the goal at which we are all aiming, by simply giving our adherence to a court which can only try cases which the parties agree to

submit to it. It is obviously but a first step, and but a short step. To be sure, there is in the statute that optional provision allowing nations to agree to compulsory jurisdiction, but it is rather pathetic to note who the nations are that have made this agreement that all their disputes shall be submitted to the court. It is only the weak, the small nations, those which can not defend themselves. It is the fragile china vessels which want a court. The iron pots are not afraid of a collision. The defenseless nations, which have no armed protection against an aggressive neighbor, agree to submit all their disputes to the jurisdiction of the court, but the great powers, confident in their strength, prefer to reserve to themselves the arbitrament of force. It reminds me of the verse:

Laws, we are told by ancient sages,
Have been like cobwebs in all ages.
Cobwebs for little flies are spread,
And laws for little folks are made.
But if an insect of renown,
Hornet or beetle, wasp or drone,
Be caught in quest of sport or plunder,
The flimsy fetter flies in sunder.

So here, it is only the small folk, the weak nations, that have agreed to compulsory jurisdiction.

At the same time, I recognize that it could not be otherwise. No treaty which provided for compulsory jurisdiction would be ratified here, and very likely would not have been ratified by any of the powerful nations. We had to begin by a first step. But I am sure the hope of every peace lover, the hope of every believer that recourse to a court is a better method of settling international disputes than war, is that the time will come—it will not be in our day—when this court will have proved itself such a just and satisfactory arbiter of international quarrels that the great powers will follow the example of the small and out of self-interest will all gladly submit themselves to its jurisdiction; that they will find that it is better for them to lose a case before a court than to win one by war; and that finally all the nations will agree to the compulsory jurisdiction.

But, of course, that is a distant goal. Yet it is that at which we aim. This is a step, but only a short step, toward that goal. There is a class of people who say that we always have had wars and we always shall have wars until human nature changes, and that it is hopeless to try to prevent them. I have no patience with that kind of talk. I do not imagine that this World Court is an immediate panacea for war, but I do believe that mankind and civilization are progressing. The world is better than it was a thousand or a hundred years ago and will be still better a hundred or a thousand years hence. "I doubt not through the ages an increasing purpose runs," and the time is going to come, the time is sure to come, when men will be so intelligent and so civilized that they will find some permanent remedy for the horror and scourge of war. I do not suppose we have yet reached that goal, but I do believe the time is surely coming. It is possible that this is the generation, the fortunate generation, that is destined to reach that goal and abolish war. No one can tell.

The last war ought to have made the hatred of war more intense than it ever was before. It had more horrors, more destructiveness than ever before, and it instilled into the minds of the whole world an appreciation of its wastefulness and terror. It did another thing. It took away all of the glamour of war. There has always been an appeal of the warrior to the young of both sexes. When the typical man of war was a splendid young athlete, a young man of courage and vigor, to whom his mother said, "Come back with your shield or on it," there was a heroism that appealed to mankind. But the last war stripped much of that away. It showed that now the typical winner of war, instead of being a noble athletic young hero, is likely to be a withered, spectacled old man sitting back in a laboratory and developing some method of destroying millions of men, women, and children without any danger to himself. So it seems to me much of the glamour has been taken away while the horribleness has increased.

Therefore this generation ought to feel more keenly than any before that they should do what they can to prevent war. As I said, it is just possible, although I do not think it probable, that this is the generation which in the wisdom of Providence has been destined to end the scourge of war. At any rate, whether it has or not, the only way that scourge ever will be ended is for each generation as it comes to strive earnestly along the lines which they recognize as best to abolish war. I think there is no question that in this generation our wisest statesmen have recognized that the best chance of a substitute for war is recourse to a court. So as that is not

only the American but the world-wide belief, it is our duty to follow out that course and try to make the court a precursor of the end of war.

Probably it will not succeed now, but it may. At any rate, it is up to us to do our duty, to follow the lines which this generation has decided are the best, and then in the future let the next generation follow out its lines with the assurance that some time a method will be found which will end all war.

The resolution which is before us providing for the adherence of the United States to the World Court is the best step toward ending war that we know of. Practically all the rest of the nations of the world have agreed to it. Why should not we?

In closing, if I may say a personal word, representing as I do in part the State of Massachusetts, we feel there that we are a peculiarly law-abiding and law-respecting Commonwealth. I do not know that we are any more so than every other State of the Union. I hope we are not. At any rate, our people have learned to look to their courts as their security. I think only those distrust the fairness and wisdom of our State judiciary who have not lived among us long enough to have experienced their beneficent effects. The high rank and efficiency of our State judges in every grade of our courts, not only now but throughout the last century, have made us respect and trust the administration of the law and be a law-abiding people. To be sure, our State motto is "Ense petit placidam sub libertate quietem"—By the sword we seek peace with liberty—but for generations that sword has been sheathed as against our sister States. We have learned that the courts are a better arbiter. And as we look back on the "placidam quietem," the unruffled peace which our courts have brought us, we wish that peace to be extended to all, and we look with ardent longing to the day when all the nations will trust their disputes to judicial decision as instinctively and confidently as we have learned to do, and we should like to make applicable to the whole world that noble phrase which our fathers imbedded in our State constitution, that it may be "a government of laws and not of men."

Mr. FRAZIER. Mr. President, there seems to be a wide difference of opinion with regard to the World Court question now before us. The junior Senator from Alabama [Mr. HERRLIN] a few moments ago declared that if we were in the World Court we would practically abolish war. I have here a copy of an article by the Hon. Edward M. House, who was during the Wilson administration one of the close advisers of the President, or supposed to have been. This article appeared May 16, 1925, in Collier's National Weekly. A paragraph in it was very interesting to me, and I wish to read as follows:

If Germany had not made the blunder of violating her treaty with Belgium and the blunder of conducting a pitiless undersea warfare, it would have been at least doubtful whether we finally would have lauded in the allied camp or the camp of the Central Powers.

At the beginning of the war it was said that we went into the war for the safety of democracy and to put down German militarism. According to Colonel House, if it had not been for some blunder that Germany made we might have gone into the war to put down British militarism and French militarism. The senior Senator from Wisconsin [Mr. LENROO] a few days ago said that he was the last one to claim that joining the World Court would abolish war, and the Senator from Massachusetts [Mr. GILLET], who just addressed the Senate, admitted practically the same thing, although he hoped that it would be a step in that direction.

These conflicting opinions on the World Court have been rather amazing to me. Some apparently think that the Permanent Court of International Justice is the greatest question before our Nation and that if we will only consent to go into it, always with a few reservations, it will bring peace, prosperity, and happiness to our people and to the people of the world, while others are equally emphatic that it is a dangerous proposition and that its acceptance would be contrary to the traditions and principles of American Government and that it would be a most serious menace to our country. There are others who say it does not amount to anything, anyway, and that we might as well join.

Some are in favor of the World Court resolution because the late President Wilson, "the greatest President of modern times," was for it. Some favor it because President Coolidge, "the idol of the American people," is for it. Some will vote to go into the World Court for the very logical reason that the platform of the "Grand Old Party" in 1924 advocated it or because the platform of the Democratic Party in 1924 advocated it. To be consistent I think that notice should be served on this side of the Chamber or that at least an understanding should be had as to whether or not anyone who, by his vote on this question, does not uphold the party platform and the

President, will be officially kicked out of the Republican Party. It seems that on this side of the Chamber a vote for the World Court is to be considered a test of real Republicanism, but on the other side of the Chamber it is to be considered a test of real Democracy; rather a peculiar coincidence, Mr. President.

There are some of us who have felt for a long time that there was mighty little difference between machine Republicanism and machine Democracy. According to the newspaper reports, there is even a sort of cooperation between the two sides of the Chamber on the tax bill; that is, we are told that they are going to cooperate to lower the surtaxes of the multimillionaires. Of course, I am only a farmer and not learned in the law, and I will admit that it has been rather difficult for me to understand some of the reasonings that have been so ably and fluently set forth for the World Court; but it does seem to me that some vital points have been omitted. It is rather surprising to me that some of our political leaders who, during the campaign of 1924, were so alarmed and who so patriotically acclaimed that the Progressive platform was radical and would undermine the Constitution of the United States and endanger our sacred American institutions, have not raised the same objection to the World Court resolution. Surely there was nothing in the Progressive platform of 1924 half so radical or contrary to the original intention of the Constitution of the United States as the joining of a European world court under the control of the League of Nations, of which we are not even a member.

I am indeed surprised that some of our zealous and ever-watchful officials have not raised the objection that the World Court might become contaminated with radicalism, socialism, communism, bolshevism, or some of the other dangerous "isms" so common in Europe and so dangerous in the United States.

Mr. President, it is to be noted that even the most ardent proponents of the court insist on reservations. Why? Mr. President, they insist on those reservations evidently to make the court safe and sane for the United States. It has been claimed repeatedly that our adherence to the court will in no wise connect us with the League of Nations, but the very first reservation generally agreed to on this point makes this specific statement, that such adherence shall not be taken to involve any legal relations on the part of the United States to the League of Nations. Reservation No. 2 is rather interesting in that it provides that the United States may have a part in the election of the judges.

Especially is reservation No. 3 of interest, which provides that the United States will pay a fair share of the expenses to be determined and appropriated by Congress—determined and appropriated by Congress! Are we to pay according to service rendered, a certain amount for favorable opinions and a lesser amount for adverse decisions? Is that what is meant by a fair share? If we are to pay a fair share, why not let the League of Nations say what that fair share shall be?

Mr. President, it is hard to judge from the arguments that have been presented just what will be the effect or result of our adoption of this World Court resolution. I wish again to quote Colonel House in Collier's Weekly. Colonel House said:

The World Court is a gesture in the right direction, but it is not enough. When, and if, we adhere to the World Court, our position will not be materially different from what it is now. As a member we can, but need not, submit any controversy to the court. As a non-member we have the same opportunity and the same lack of obligation.

I do not know but what those who say that the court does not amount to anything, after all, are more nearly right than those who have argued the other way.

The Senator from Massachusetts [Mr. GILLET] a few minutes ago said he was not so much interested as to whether the League of Nations was the father of the court as he was in the progeny. It occurred to me that it might be doubtful what that progeny might be; as to what kind of a mongrel it might be. I believe there is no question, however, as to the understanding of the rank and file of the people who have passed resolutions or signed petitions for the court. They believe the court for international justice means what the name implies. They believe it means world peace. They believe it means disarmament. They believe it means better conditions for the world in general. The propaganda for the court has said it was for world peace and against war.

It would be impossible to include enough reservations to cover all the points that would be desirable or that would meet all the objections that are raised. It does seem to me, how-

ever, that a great step toward world peace and disarmament might be made if the reservation which I proposed a few days ago were adopted.

It provides:

1. The signature and the adherence of the United States to the statute of the Permanent Court of International Justice is conditioned and dependent upon the establishment, under direction of the League of Nations, of an international police of the seas and the destruction of all armed vessels for use upon, beneath, or above the seas, except such small vessels as are needed for police purposes by the international police of the seas.

Mr. President, if the seas, which are international highways, could be internationally policed, thus doing away with the great navies, which cost the taxpayers of the world billions of dollars each year, we would be accomplishing something worthwhile, not only for our own people but for the world. This, it seems to me, would be a step in the right direction for disarmament and for world peace. Talk about the World Court being a gesture in the right direction? It seems to me that by the adoption of this policing the seas reservation we could make a full step toward disarmament.

I also have proposed a second reservation, which provides that if at any time the United States is not satisfied with the court, Congress may take action withdrawing from it. Our withdrawal could not be considered by the court or the League of Nations as in any sense an unfriendly or hostile act or cause for war; simply the exercise of a friendly consideration agreed upon as a condition to our joining the court.

Mr. President, the argument is advanced that the United States should go into the World Court to help the poor people of the European nations. That is all very well, but this good work should begin at home. There is very great need of something being done to help a vast number of our own people. Some Senators talk about being bound by party platforms. Both of the old party platforms have for years pledged aid and support to the farmers and workers. I would like to know what has ever been done to carry out any of the pledges to the farmer by either of the old parties. Do we owe anything to the people who produce the agricultural products with which to feed the Nation? Do we owe anything to the cotton producers or wool producers? Do we owe anything to the people who perform the labor and produce the wealth of the Nation? Do we owe anything to the coal miners in the anthracite district who, the Senator from Pennsylvania [Mr. REED] says, are suffering great hardships and are on the verge of starvation? Does the Republican Party owe anything to the farmers and workers of America? Does the Democratic Party owe anything to them? Of course, by concerted action of the Republicans and Democrats on the pending tax bill it is proposed to reduce the surtaxes of the farmers and workers. That will help some people, but not the farmers and workers.

It would seem as if the mine operators are practicing the policies advocated by the proponents of the World Court.

I believe it is generally understood before arms shall be taken up in any case among the nations that are under the World Court or in the League of Nations that there shall first be tried what is known as economic pressure or economic sanctions; in other words, they will say, as the coal operators have said to the miners, "If you do not be good, we will starve your wives and children." That is what is being done in the anthracite region, and that is what is being done to-day in Europe in the effort to bring the small nations into line.

Perhaps we should go into the World Court and help the people of Europe get onto their feet, so that they may pay their interest to the big international bankers. Why not help put our American farmers and workers on their feet, so that they may pay their local bankers the interest on their loans? It is said that our joining the World Court will help to establish a foreign market for the farmer's surplus.

Mr. President, if we can get a decent price for our products which are used for home consumption, we can feed our surplus to the birds and fishes or give it to Europe and still make more money than we are making now, and at the same time not necessarily raise the price to the consumer.

It seems to me that it is very apt in this connection to refer to the coal question, which has been under discussion on several recent occasions. It has been shown that some of the local dealers, not only here in the District of Columbia but in other places, are making an immense profit on coal. It has been stated by the junior Senator from Pennsylvania [Mr. REED] and also by the senior Senator from West Virginia [Mr. NEELY], both those States being coal-producing States, that the prices at the mines were not exorbitant and had not been materially raised, but the price to the consumer has been materially

raised, and therefore some one is making an enormous profit because of the coal strike, and at the expense of the consumer.

It is my belief that the rank and file of the people of the United States are vastly more interested in having affairs of our own Nation equitably adjusted than in undertaking to adjust the affairs of Europe.

Mr. President, a great deal of propaganda has been spread on both sides for and against the World Court. There is no question that the rank and file of our people throughout the Nation want anything that will establish world peace. The only question, it seems to me, is as to whether or not this particular measure will establish world peace. On Saturday I offered a substitute for the reservation which had been offered in the first resolution, No. 5. In lieu of that reservation, I offered the following:

That such signature and adherence of the United States to the protocol of the Permanent Court of International Justice is given with the distinct understanding that the United States reserves the right to withdraw its signature and adhesion thereto at any time that the Congress of the United States may determine so to do, and that in event of such withdrawal it shall in no way be considered an unfriendly act.

When the proper time comes I am going to move that this substitution be made in the Swanson resolution.

Mr. ROBINSON of Indiana obtained the floor.

Mr. MOSES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gerry	McNary	Schall
Bayard	Gillett	Mayfield	Sheppard
Bingham	Glass	Means	Smith
Blease	Greene	Metcalf	Smoot
Borah	Hale	Moses	Stanfield
Bratton	Harreld	Neely	Stephens
Broussard	Harris	Norbeck	Swanson
Bruce	Harrison	Norris	Tammell
Butler	Heflin	Nye	Tyson
Cameron	Howell	Oddie	Underwood
Capper	Johnson	Overman	Wadsworth
Copeland	Jones, Wash.	Pepper	Walsh
Couzens	Kendrick	Phipps	Warren
Curtis	Keyes	Pine	Watson
Dale	La Pollette	Pittman	Weller
Edge	Lenroot	Ransdell	Wheeler
Ferris	McKellar	Reed, Pa.	Williams
Fess	McKinley	Robinson, Ark.	Willis
Fletcher	McLean	Robinson, Ind.	
Frazier	McMaster	Sackett	

Mr. CURTIS. I have been requested to announce the absence of the Senator from Kentucky [Mr. ERNST], the Senator from West Virginia [Mr. GOFF], the Senator from Illinois [Mr. DENEEN], the Senator from California [Mr. SHORTRIDGE], the Senator from Iowa [Mr. BROOKHART], the Senator from Utah [Mr. KING], the Senator from Georgia [Mr. GEORGE], and the Senator from Arkansas [Mr. CARAWAY] in attendance upon a meeting of the Committee on Privileges and Elections.

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. ROBINSON of Indiana. Mr. President, I have been very much interested from the beginning in this debate on the World Court, from the moment when the President transmitted to the Senate his message in which the recommendation was made that we adhere to the protocol.

I had not intended to make any remarks at all on this subject. I was anxious to learn all I could from the debate, and I have listened as attentively as I could to all that has been said on both sides of this question. I should like to have brought myself to the position where I could have agreed thoroughly and conscientiously to support the recommendation that we should adhere to this protocol of signature.

There were several reasons for this. The first of these reasons was the fact that immediately upon my appointment as a United States Senator from Indiana I made the public statement that I would support the policies of the administration. That was a voluntary statement on my part, and was not requested in any sense of the word by anybody. I was glad to make the statement, Mr. President, because the Chief Executive of this Nation enjoys to a very peculiar degree the confidence of our people in Indiana and, I think, throughout the country. We believe out there, sir—and I think it is the general impression throughout the land—that much of the great prosperity of American to-day is due to the wisdom of the administration.

When the recommendation was transmitted to the Senate with reference to the World Court protocol, therefore, I examined it very carefully, recognizing as I did then, and as I do now, and as all Senators recognize, that the Senate itself has an executive duty to perform in some matters. There is both a legislative function and an executive function which the

Senate at times must exercise; and in these matters the Senate and individual Senators can not merge their responsibility with that of the Executive.

There is a presidential policy with reference to certain matters, and then there must be ultimately a senatorial policy with reference to executive matters. It is up to the Chief Executive of the United States to formulate the presidential policy, and it certainly is up to the Senate itself to formulate the senatorial policy as relates to executive matters where both the Senate and the Chief Executive are concerned.

Therefore we have an executive session of the Senate, which is usually closed, although it may be open for the discussion of executive business—the confirmation of nominations, for one thing; the consideration of treaties, for another. In all such matters, at the last degree and in the final analysis, Senators must make up their own minds and decide according to their own consciences and according to their best convictions as they are given to see the light.

Therefore, Mr. President, I have followed the debate closely, recognizing that there was a responsibility upon my shoulders in this matter. I wanted ultimately to vote intelligently, and certainly I wanted to vote conscientiously. Whether or not ultimately I may vote intelligently, I most certainly shall vote conscientiously and in accordance with the deepest convictions one can have.

I have been opposed to the entry of America into the League of Nations from the time the suggestion was first made. I have had the pleasure, and I certainly considered it under the circumstances the duty, of going over the State of which I have been a resident and speaking against what I thought was an un-American proposition. I believed then, and I believe now, that America never should enter the League of Nations. I believed then, and I believe now, that America never should accept any obligations under the League of Nations covenant, or the treaty of Versailles so far as it has to do with the covenant of the League of Nations. That was my position then. It never has changed.

Then came about another proposition that gave me some little difficulty until I could go into it carefully, think about it seriously, and ultimately try to vote with regard to it intelligently. I have reference to that paragraph in the Republican Party platform drafted at the national convention of the party in Cleveland in 1924.

I had the honor, sir, as a delegate from my State, to be at that convention. I know something about that plank in the platform. I knew something about it then, as other Members of this body do and did. There was much discussion about it at that time, and finally it was drafted in this wise:

The Republican Party reaffirms its stand for agreement among the nations to prevent war and preserve peace. As an immediate step in this direction we endorse the Permanent Court of International Justice and favor the adherence of the United States to this tribunal as recommended by President Coolidge. This Government has definitely refused membership in the League of Nations and to assume any obligations under the covenant of the league. On this we stand.

Mr. President, I have always been a party man. I have always been a member of the Republican Party, as I am to-day. I have always voted the Republican ticket and believed in and subscribed to Republican principles, as I do to-day. This is a Government by parties. As long as it is, some party must be charged with the responsibility of conducting the Government. I believe in that principle of government. The Republican Party has its platform of principles, and I subscribe to those principles; and in the position I am about to take on the matter now before this body I think again I can conscientiously vote my sentiments and my convictions and still subscribe to the platform of my party.

To repeat, Mr. President, the platform says:

This Government has definitely refused membership in the League of Nations and to assume any obligations under the covenant of the league. On this we stand.

The question, therefore, Mr. President, is this, so far as I am concerned as a party man: Do we assume any obligations to the League of Nations if we adhere to the protocol of signature, as has been proposed in Senate Resolution No. 5?

My answer is emphatically yes, if we go in; if we stay out, no. If we go in—and I vote to go in—then it seems to me I am not true to my party's pledge, having conscientious convictions as I have just stated. If I vote to stay out, then it seems to me I have done my full duty by the platform of the Republican Party.

That brings me, Mr. President, to the consideration for a moment of Senate Resolution No. 5, as modified in open executive session last Saturday.

I may say to you, sir, that I voted against cloture yesterday in this body, and for this very good reason: Senate Resolution No. 5, as modified in open executive session last Saturday, never had been debated in this body, and therefore the country had not had the views of individual Senators with reference to it and therefore could not be familiar with the arguments of individual Senators pro or con with reference to it. I believed that in a matter of this kind, which involves so much to our country, which represents a departure from our traditional policy of 138 years, this resolution as modified should have been thoroughly debated before ever it was acted upon.

Cloture was suggested, which would stifle debate, and because I knew it would and because I did not believe debate ought to be stifled I voted against cloture. Now, therefore, I want to discuss this resolution as modified in the brief time allotted me.

First let me suggest, Senators, that the then Secretary of State, Hon. Charles Evans Hughes, on February 17, 1923, or a day or two before that, transmitted to the President a statement, which was in turn sent to the Senate, in which Mr. Hughes used this language:

There is, however, one fundamental objection to adhesion on the part of the United States to the protocol and the acceptance of the statute of the court in its present form. That is, that under the provisions of the statute only members of the League of Nations are entitled to a voice in the election of judges. The objection is not met by the fact that this Government is represented by its own national group in The Hague Court of Arbitration and that this group may nominate candidates for election as judges of the Permanent Court of International Justice. This provision relates simply to the nomination of candidates; the election of judges rests with the Council and Assembly of the League of Nations. It is no disparagement of the distinguished abilities of the judges who have already been chosen to say that the United States could not be expected to give its formal support to a permanent international tribunal in the election of the members of which it had no right to take part.

Mr. President, as early as that moment, when this protocol was transmitted to the Senate, the then Secretary of State, Hon. Charles Evans Hughes, saw vital defects, fatal defects, in the thing itself. The protocol came along. I read from it:

PROTOCOL OF SIGNATURE OF THE STATUTE FOR THE PERMANENT COURT OF INTERNATIONAL JUSTICE

Provided for by article 14 of the covenant of the League of Nations with the text of the statute

PROTOCOL OF SIGNATURE

The members of the League of Nations, through the undersigned, duly authorized, declare their acceptance of the adjoined statute of the Permanent Court of International Justice, which was approved by a unanimous vote of the assembly of the league on the 13th December, 1920, at Geneva.

I invite the attention of members of the Senate to that statement, "The members of the League of Nations, through the undersigned." The only way we can participate in this matter fully and thoroughly is to become a member of the League of Nations. Furthermore, if this resolution shall be adopted as it has been presented, I make bold to say that for many purposes we will become actually a member of the League of Nations. There can be no question in the world about that.

The protocol itself and the statute provide for the election of judges to the so-called World Court, which is only a court of the League of Nations. It is not a world court in any sense of the word, as I view it. Judges are to be elected by the Council and the Assembly of the League of Nations. There is no question but that if we vote for judges we must become, for that purpose at least, a member of the League of Nations, and if we vote to pay the judges any amount we may pay we become, so far as the payment of judges is concerned, a member of the League of Nations. Therefore, both for the election of judges and for the payment of judges, we become a member of the League of Nations.

The resolution itself, as modified last Saturday in open executive session, is enlightening on this point. I quote from the resolution:

Whereas the President, under date of February 24, 1923, transmitted a message to the Senate, accompanied by a letter from the Secretary of State dated February 17, 1923, asking the favorable advice and consent of the Senate to the adherence on the part of the United States to the protocol of December 16, 1920, of signature of the statute for the Permanent Court of International Justice, set out in the said message of the President (without accepting or agreeing to the optional clause for compulsory jurisdiction contained therein), upon the conditions and understandings hereafter stated, to be made a part of the instrument of adherence: Therefore be it

Resolved, etc.—

Mr. President, I want to invite the attention of the Senate to the first reservation in the resolution as modified:

1. That such adherence shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the treaty of Versailles.

That brings up an interesting question for discussion. The language is "any legal relation." Who is to determine whether we are sustaining any legal relation to the League of Nations or not, except it be the court of the League of Nations itself, whose constitution is the covenant of the League of Nations itself, just exactly as the Constitution of the United States is the governing body of laws for the Supreme Court of the United States of America?

Mr. WALSH. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Montana?

Mr. ROBINSON of Indiana. Yes; I yield to the Senator if it will not take too much of the little time I have.

Mr. WALSH. The statement the Senator has just made has been made so often that I would like to have the Senator devote perhaps two minutes to explaining how it is that the covenant of the League of Nations is the constitution of the World Court. I had supposed that the statute attached to the protocol was the constitution of the court. I would really feel enlightened if the Senator would devote two minutes to a discussion of that question.

Mr. ROBINSON of Indiana. Article 14 of the covenant will be thoroughly enlightening to the Senator if he will consult it, and it will not take any of my time, I say, with deference to the Senator, if he will read article 14. Let me suggest this to the eminent Senator from Montana, that without the covenant of the League of Nations there could be no League of Nations. Without the League of Nations there could be no World Court. Therefore, what is back of the World Court? You can not put the capstone on before you lay the foundation. The foundation is the covenant of the League of Nations; there can be no question about that.

Mr. LENROOT. Mr. President, will the Senator yield for a question?

Mr. ROBINSON of Indiana. Yes.

Mr. LENROOT. If the League of Nations should be abandoned to-day, would the court stand with all the powers conferred by its constitution?

Mr. ROBINSON of Indiana. Mr. President, my answer to that is that, in the first place, the League of Nations, in my judgment, will not be abandoned, because there are some interests involved, with which we do not care to entangle ourselves, that will not permit it to be abandoned. Answering the Senator's question directly, if the League of Nations were abandoned to-day, the World Court would fall instantly. It would not last 10 minutes, in my opinion.

Mr. LENROOT. Will not the Senator explain why?

Mr. ROBINSON of Indiana. Mr. President, I have taken no part in this debate, while other Senators have talked for hours, and at most I have only an hour. I assume that the Senator is as thoroughly familiar with the explanation as I can possibly be, and I would like not to have to devote a lot of time to that particular question. The Senator asked for my opinion, and I have given it to him.

Mr. LENROOT. I would be glad to have the Senator give me his opinion in my time.

Mr. ROBINSON of Indiana. Will the Senator repeat his question?

Mr. LENROOT. The Senator has made the statement that the court would immediately fall should the League of Nations be abandoned to-morrow. I deny that, and I would like to have the Senator substantiate his statement.

Mr. ROBINSON of Indiana. Mr. President, that is a peculiar question to ask. I know how thoroughly the Senator from Wisconsin is interested in having the resolution adopted. I know how completely the Senator was interested in the League of Nations in the days gone by, and therefore I am not surprised that the Senator would like to suggest some question that would probably not go to the root of the matter at all. But I am willing to answer the question as propounded. I will say to the Senator from Wisconsin that, first of all, without the League of Nations there would be no World Court.

If you take the foundation away from the World Court the court must totter to its ruin. It would be bolstered, if at all, by public opinion among the nations that are involved, and ultimately it might be revived into some kind of a tribunal such as would represent all of the world. At present it could not do that, since it is simply a league court and not a world court in any sense of the word.

Mr. LENROOT. Does the Senator think he has answered my question?

Mr. ROBINSON of Indiana. I will leave that to the Senator from Wisconsin. I do not care to take any more time, even of the Senator, in answering a question of that kind.

If I may proceed further, I would like to suggest also to the Senator from Montana that yesterday it was he, as I remember, who suggested that we have to take this thing now or not take it. The eminent Senator said, "You have to vote for this now or let it alone. If you do not want it, do not vote for it. If you want it, vote for it." That was in connection with the fact, which is admitted by Senators generally, I think, and by people all over the country and the world, that if we go into this court the British Empire will have 7 votes in the election of judges to 1 for America.

In that particular I should like to say to the Senator from Montana that I certainly should vote against the so-called World Court as long as any nation on the face of the globe were given such a decided advantage over my own country. If the British Empire, with the states which it embraces, is given 7 votes in the election of judges, then, as a patriotic Member of this body and interested in my country's welfare, I shall insist that the American Nation have just as many votes as any other nation on the face of the globe.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. I yield.

Mr. WALSH. Does not the Senator believe that it will never be possible to organize a World Court in which Canada and Ireland will not have a voice?

Mr. ROBINSON of Indiana. I will answer that by saying that it never will be possible to organize a World Court with my vote, simply speaking for myself, if any other nation on the face of the globe is to have more votes in the election of judges to constitute that court than the American Nation.

Mr. WALSH. I did not ask whether the Senator would vote for it; I asked whether he thought it possible to do it.

Mr. ROBINSON of Indiana. I am not so sure that I think it ever will be necessary to do it. It might not be possible to organize a court under the League of Nations, as the Senator has suggested.

Mr. WALSH. No, Mr. President, if the Senator will pardon me. I want the Senator to dismiss all idea of the League of Nations. We are going to abandon all that, and we are going to try to organize another court. I want to know from the Senator if he thinks it would be possible to get a world conference to organize a world court in the selection of the judges of which neither Ireland nor Canada would have a voice?

Mr. ROBINSON of Indiana. Mr. President, there is the Irish Free State, there is the Dominion of Canada, there is South Africa, there is New Zealand, and there is Australia. We have a constitutional form of government in America, with 48 sovereign States. We began with 13. Each and every one of those States is as thoroughly sovereign under the Constitution as any of the States suggested by the eminent Senator from Montana. I ask the Senator whether or not it is not just as fair for an American sovereign State, one of the Union, to have a vote in the election of judges for a so-called World Court as it is for one of these states in the Empire of Great Britain?

Mr. WALSH. I will answer the Senator, that the organization of the United States of America, 48 States, is essentially different from the organization of the British Empire.

Mr. ROBINSON of Indiana. Of course it is; there can be no question on that proposition; but just the same, all of the states of the British Empire constitute the British Empire, and all of the States of the American Union constitute the Republic of the United States of America; and I say that only with the kindest feeling toward the British Empire and toward the Senator from Montana, who so stoutly champions the cause of that great empire.

Mr. WALSH. Mr. President, the Senator is not justified in making that statement, and I call him to order for it. I call him to order. That is a violation of the rules of the Senate.

Mr. ROBINSON of Indiana. If the Senator denies it, I cheerfully withdraw the statement.

Mr. WALSH. I have never championed the cause of the British Empire, and the Senator knows I have not, on this floor, in his presence at least.

Mr. ROBINSON of Indiana. I suggest to the eminent Senator from Montana, if I may, that if he believes the British Empire should have 7 votes in the election of the judges of this court and only 1 for his own country, he may not be championing the British cause; but he may call it what he pleases, and I will accept his own definition.

Mr. WALSH. The Senator knows I have not championed it nor advocated anything of the kind, and I deny that the British Empire has any 7 votes.

Mr. ROBINSON of Indiana. May I ask the Senator, then, whether he is against voting for the World Court with that provision in the resolution?

Mr. WALSH. With what provision?

Mr. ROBINSON of Indiana. That the British Empire shall have 7 votes to our 1.

Mr. WALSH. There is no such provision.

Mr. ROBINSON of Indiana. Let us get down to the facts. I will answer that in a moment. Let us go on further with the resolution.

Mr. LENROOT. Mr. President, I would like to ask the Senator a question.

Mr. ROBINSON of Indiana. Is this all on my time?

Mr. LENROOT. Just one question. It would take but a moment to answer. Does the Senator really think the British Foreign Office will control the vote of Ireland?

Mr. ROBINSON of Indiana. Let me ask the Senator this question: Is the Irish Free State a part of the British Empire? It either is or it is not. It can not be a part of it and not a part of it.

Mr. LENROOT. But does the Senator from Indiana think that the British Foreign Office will control the vote of Ireland in the election of judges?

Mr. ROBINSON of Indiana. I do not know what the British Foreign Office will do. I have no intimate connection with the British Foreign Office. Perhaps the Senator may have. If he has, he might tell us what they will do. I do not know what they would do on that proposition.

Mr. LENROOT. The Senator and I both have a pretty good idea of the attitude of the Irish Free State, however.

Mr. ROBINSON of Indiana. I do not know what votes the British Foreign Office may control, and I do not care to know, may it please the Senator from Wisconsin. I do not care to know anything about what the British Foreign Office shall control. I am interested in seeing to it that among the nations of the earth America has just as many votes as any other organized government. I am interested in that proposition to the whole extent of my being.

I come now to No. 2 of the reservations:

That the United States shall be permitted to participate through representatives designated—

Note that language, Senators—

That the United States shall be permitted to participate through representatives designated for the purpose and upon an equality with the other states, members, respectively, of the Council and Assembly of the League of Nations, in any and all proceedings of either the council or the assembly for the election of judges or deputy judges of the Permanent Court of International Justice or for the filling of vacancies.

I invite the attention of the Senate to the fact that that reservation states conclusively that the United States shall be permitted to participate through representatives designated—to do what? To become members of the League of Nations for the purpose of voting for judges. It is nothing else than that. There it is in so many words, that we shall be permitted to name representatives to participate in the League of Nations for the purpose of electing judges.

Mr. BLEASE. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from South Carolina?

Mr. ROBINSON of Indiana. I yield.

Mr. BLEASE. The paragraph just read coincides with the Senator's contention that if the League of Nations falls then the World Court falls, and that sentence is a complete answer to the question asked the Senator from Indiana by the Senator from Wisconsin.

Mr. ROBINSON of Indiana. Of course, it does. I never thought there was any serious question about that. [Laughter.]

Now, let us go to No. 3 of the reservations:

That the United States shall pay a fair share of the expenses of the court as determined and appropriated from time to time by the Congress of the United States.

That the United States shall pay a fair share of the expenses! That puts us into the League of Nations. There is no question about that, because the covenant itself and the statute itself provide that the expenses shall be paid by the League of Nations. We undertake to pay a part of the expenses and become, for that purpose at any rate, an integral

part of the League of Nations. Senators may laugh, but it is the truth, nevertheless.

Now, let us go to the next reservation, No. 4:

That the United States may at any time withdraw its adherence to the said protocol and that the statute for the Permanent Court of International Justice adjoined to the protocol shall not be amended without the consent of the United States.

The United States may at any time withdraw its adherence to the said protocol! Let me suggest a situation that might easily arise. I was very much interested in the discussion on this point yesterday. How are we to withdraw? The distinguished Senator from Virginia [Mr. SWANSON] has my very sincere admiration for the excellent manner in which he has presented the whole proposition—largely, may I interpolate, from a Democratic standpoint—but in any event I admire the Senator's presentation of the thing from any standpoint. I was interested in his statement of how we should withdraw. Suppose we want to withdraw. Why, said the Senator, we would withdraw by joint resolution of the Congress.

I suggest this possibility: Suppose some grave injustice might be done this country or we felt that it is an injustice. Suppose we might be able to get a majority of the Congress in both Houses to pass a joint resolution; but suppose the Congress were not in session at the time and suppose there were some question about the matter that required a lot of debate. Suppose we brought the matter of withdrawing before this body and the body at the other end of the Capitol. Suppose the discussion ran along for a year or two years, and suppose at the end of that time we finally withdrew, but we then found the Monroe doctrine had been violated thoroughly while we were deciding whether or not we should withdraw. Mr. President, in that event I submit it would lead to war or else it would be necessary for us to say that we had given up all our contentions under the Monroe doctrine, that great American principle.

We might be as much as three years withdrawing from adherence to the protocol. It would not make any difference whether it were a day or a year or 10 years, the fact remains that we could not withdraw in a moment and while we were withdrawing grave injustice might be done this country that would ultimately lead to war, but never to peace.

Let us examine the resolution still further:

5. That the court shall not render any advisory opinion except publicly after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned; nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest.

In that connection let me suggest to this honorable body that there are many questions on which advisory opinions might be sought that would affect the United States of America considerably and very deeply, yet we would not be parties to any issue that might be involved therein.

I have only to suggest perhaps something that might come out of the Tacna-Arica dispute in South America at the present time. Advisory opinions could be given by the court of the League of Nations. Of course, they could be given because, strictly speaking, we would not be affected, but morally and practically we would be very much affected in a matter of that kind. A grave injustice might be done to the people of this country if we had not the Monroe doctrine to fall back upon and rely upon.

Finally, I come to this concluding sentence in the modified resolution:

Nor shall adherence to the said protocol and statute be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

Who shall determine what is an American question? Why, the court of the League of Nations would decide what is an American question and what is not. Then we should have the opportunity of doing one of two things—the alternative of either accepting the adjudication of the court of the League of Nations or of withdrawing from adherence to the protocol, which would involve time.

So we have the situation there before us, as I have suggested previously, that if we go into the World Court, if we adhere to the protocol of the World Court, we become morally members of the League of Nations for many purposes. If we adhere to the protocol of the World Court we abandon practically the Monroe doctrine. There is not a word stated in the resolution or the reservations anywhere that suggests that we do not abandon that doctrine. The nearest we come to it is to suggest that we do not relinquish any of our traditional

principles or our traditional attitude toward purely American questions. But there is only one tribunal that decides what shall constitute American questions if we become members of the Court of International Justice, so called, and that is the court itself. It finally decides those questions.

As long as we refuse to adhere to the protocol of the court, just so long we can protect ourselves under the Monroe doctrine. We can continue to police this hemisphere and decide for ourselves largely what should and should not be done. But the moment we become members of the World Court we give up that right, that traditional right; we abandon the Monroe doctrine to that extent, and must accept the judgment of the World Court or else withdraw from the protocol.

So that from any standpoint, understanding as I do and believing as I do that the constitution of the World Court is the covenant of the League of Nations and knowing as I do that treaties represent the supreme law of the land, it seems to me it would be utterly foolhardy for the American people to depart from their traditional custom of not interfering with other nations in the slightest degree and of not becoming embroiled in their affairs or making any entangling alliances of any kind.

Let me suggest to you, Mr. President, and to the Members of this distinguished body, that entangling alliances have never led to peace. Throughout the history of the world they have led to war. Every Senator sitting here knows that to be a fact. Had there not been entangling alliances I make bold to say that there would have been no World War; there would have been no Sarajevo incident. In fact, that thing never would have happened, and, in my opinion, after it happened if every nation had been standing on its own bottom there would have been no World War. The incident would have been forgotten, because individual nations would not have rushed into the tremendous catastrophe that the World War represented.

Mr. HEFLIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Alabama?

Mr. ROBINSON of Indiana. I yield.

Mr. HEFLIN. Does the Senator think that each nation should have stood aloof and let Germany fight one at a time rather than combining to combat the power of Germany?

Mr. ROBINSON of Indiana. I make bold to say something that will enlighten the Senator on that proposition. The Senator knows—and I have the highest regard for the Senator from Alabama—that there were existent at that time in Europe two alliances. There was one called the Triple Entente. That was an alliance, offensive and defensive, that was negotiated between the sovereign powers of Great Britain, France, and Russia. There was at the same time a triple alliance. There were at least five such alliances. It began in 1882, when the first one was formed, and up until 1912, when the last one was formed, there had been five separate and distinct triple alliances, offensive and defensive, between the following powers: Italy, the German Empire, and the Austro-Hungarian Empire. I submit to the Senator and to the Members of this body here and now that if those two alliances, nagging and pulling at each other, had not been in existence, there would have been no World War. It never would have taken place.

What was the dire result therefrom? The result has been that of the six nations engaged in those entangling alliances three are dead to-day—three of them have gone to their death. We saw them die, you and I. The Government of Russia, the great Russian Empire, has ceased to be. The Government of the great German Empire is dead. We saw it die. The great Austro-Hungarian Empire is dead. Two members of the three in one alliance and one member of the three in the Triple Entente are all dead to-day. We want America never to die. Entangling alliances lead to war, never to peace.

Mr. HEFLIN. The point I am making is that we were not involved in any entangling alliance, and yet we went in and tangled ourselves up with foreign nations in the worst war in the history of the world.

Mr. ROBINSON of Indiana. No, Mr. President. Let me suggest to the Senator again that we never made an alliance; there was no treaty of alliance made by America with foreign nations. We were associated with them; we were called an "associated power." We were proud to be associated with them. I know how it was.

Mr. HEFLIN. But we went in.

Mr. ROBINSON of Indiana. We went in on our own account and for a great American principle, but we never receded from the principle of the fathers, the principle of Washington's Farewell Address—no entangling alliances with anybody; peace and good will to the world, but entangling alliances with none.

Mr. HEFLIN. I agree with the Senator from Indiana that we went in because a great principle was involved, but we did go in. We were not entangled with those nations beforehand,

but when the war came on we went in and we fought with those nations until the war was ended.

Mr. ROBINSON of Indiana. That is very true; that is a matter of history; but I do not know what the Senator's point is in again making the suggestion.

Mr. HEFLIN. The point is that if we stay out they can drag us in at any time they want to start another war.

Mr. REED of Missouri. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Missouri?

Mr. ROBINSON of Indiana. I yield.

Mr. REED of Missouri. If the Senator from Indiana will permit me to make the suggestion, there were about 140 wars in the century immediately preceding 1914 in Europe and in Asia, into which we were not dragged, but if we go into the World Court we shall be dragged into all of the wars.

But I wanted to call the Senator's attention to a matter he was discussing, if he will permit me.

Mr. ROBINSON of Indiana. Yes, sir.

Mr. REED of Missouri. And that is, Who is to settle the jurisdiction of the court? Under article 36 it is settled by a majority vote. That article of the statute has never been considered by this body. Although it is in the contract we are supposed to sign, we are not permitted to consider it, because the time has not been given to consider it and nobody has discussed it. Article 36 of the statute in its last clause reads:

In the event of a dispute as to whether the court has jurisdiction the matter shall be settled by the decision of the court.

That is to say, a majority of that court can say it has jurisdiction; we can say that it has not; but what good will it do us?

Mr. ROBINSON of Indiana. Exactly. I will ask the Senator from Missouri also while he is on his feet to read article 37 of the statute—I think that, too, is in point—for the benefit of Senators who have raised this question.

Mr. REED of Missouri. I will read it. It provides:

ARTICLE 37

When a treaty or convention in force provides for the reference of a matter to a tribunal to be instituted by the League of Nations, the court will be such tribunal.

Mr. ROBINSON of Indiana. So there you are. I hope that is satisfactory to everybody, because it is very plain, Mr. President, and it seems to me there can be no dispute on that point. The court itself will decide what these things mean. The decision will be made not by America but by the court.

Mr. HARRELD. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Oklahoma?

Mr. ROBINSON of Indiana. I yield to the Senator.

Mr. HARRELD. May I ask the Senator a question?

Mr. ROBINSON of Indiana. Yes.

Mr. HARRELD. If we become a member of a body which is admittedly the adviser of the League of Nations, and that body does advise the league, are we not advising the league, and do we not become a member of the league in that way?

Mr. ROBINSON of Indiana. I do not think there can be any doubt about it. There are so many ways in which we may become a member of the league that I certainly hope the Senate never will give its adherence to the protocol.

Mr. President, allow me to conclude, for my time has practically expired. We are to-day among the nations of the earth in the most fortunate situation of any. I think there never was a time, generally speaking, when the American people were so well satisfied and so well contented, so far as the great number of our citizens are concerned. We know something of the wreck and havoc on the other side of the seas. I favor helping those people all we can; I favor doing more than extending a gesture; I favor sending relief whenever it seems advisable to America to do so; but, Mr. President, I think it should be done in our own way, when and where we see fit to do so. I see no reason in the world for overturning this great temple of the fathers and starting out with a new policy on an uncharted course, in a direction we have never gone, when we are to-day the unquestioned miracle of the ages so far as successful government is concerned.

Some Senators might say that three governments of the six to which I have just referred as having been brought to their death by entangling alliances might rise again from the ashes of their past; but, Mr. President, those governments are gone. We want this Government of ours—of, for, and by the people—never to perish. We want to go on and on and on. Why take any chances of ruining this Government? What is the reason why we should rush off pell-mell into this World Court

that may result in disaster, as I believe it ultimately will result in disaster?

I hope, Mr. President, that we may go on down through the future and across the centuries following the traditions of the past and the ideals of the fathers of the Republic, following our own national aspirations, a happy and a great people, practicing the golden rule among nations, doing unto others as we would that others should do unto us, and that we may never encourage war or enter into alliances that may lead to war, but that we may go on and on and on and, high and great though we be, that we may even become greater in the future than we now are or ever have been in the past.

Mr. President, because of these facts, because I feel certain that the people of the State whence I came overwhelmingly subscribe to the position I have feebly advocated on the floor during this hour I shall most certainly vote against adherence to the protocol of signature of the so-called World Court.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Fess	Lenroot	Robinson, Ind.
Bayard	Fletcher	McKellar	Sackett
Bingham	Frazier	McKinley	Schall
Blease	George	McLean	Sheppard
Borah	Gerry	McNary	Shipstead
Bratton	Gillett	Mayfield	Shortridge
Brookhart	Glass	Means	Simmons
Broussard	Goff	Metcalf	Smith
Bruce	Gooding	Moses	Smoot
Butler	Greene	Neely	Stanfield
Cameron	Hale	Norbeck	Stephens
Capper	Harreld	Norris	Swanson
Caraway	Harris	Nye	Trammell
Copeland	Harrison	Oddie	Tyson
Couzens	Hefflin	Overman	Wadsworth
Cummins	Howell	Pepper	Walsh
Curtis	Johnson	Philpps	Warren
Dale	Jones, New Mex.	Pine	Watson
Deneen	Jones, Wash.	Pittman	Weller
Edge	Kendrick	Ransdell	Wheeler
Ernst	Keyes	Reed, Mo.	Williams
Fernald	King	Reed, Pa.	Willis
Ferris	La Follette	Robinson, Ark.	

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

The question is on agreeing to reservation No. 1.

Mr. REED of Missouri. Mr. President, a parliamentary inquiry. If we pass over reservation No. 1 now, will it hereafter be subject to amendment?

Mr. LENROOT. It will not be, except in the Senate.

The VICE PRESIDENT. If passed over without action, it would be subject to amendment.

Mr. REED of Missouri. That is, when we pass over reservation No. 1 and proceed in that way, passing over and accepting the several reservations, is the subject matter of those reservations open to amendment?

Mr. LENROOT. May I suggest that the reservation should be voted upon and accepted or rejected?

The VICE PRESIDENT. If a reservation is agreed to now, it will not be subject to amendment hereafter without a reconsideration of the vote.

Mr. MOSES. Mr. President, of course after we pass from the Committee of the Whole into the Senate any matter which can properly be offered as in the Committee of the Whole can then be offered in the Senate.

The VICE PRESIDENT. The Senator is right.

Mr. SWANSON. The Senator from New Hampshire is correct. Any amendment or reservation that is adopted as in Committee of the Whole can be reconsidered in the Senate; so if any Senator desires to have another vote on any of these reservations as they are adopted, he can propose an amendment when it gets to the Senate.

Mr. REED of Missouri. I ask for the yeas and nays, Mr. President.

Mr. LA FOLLETTE. Mr. President, will the Senator withhold that motion until I can propound a question to the Senator from New Hampshire? Does the Senator know whether the senior Senator from Minnesota [Mr. SHIPSTEAD] has a reservation which he intended to offer as a substitute for this reservation?

Mr. MOSES. So far as I know, the Senator from Minnesota has no reservation which applies to the first reservation proposed by the Senator from Virginia. I have looked through the printed reservations, and I find none. Is the Senator from Minnesota available at this minute?

Mr. LA FOLLETTE. I have just called his office, and his secretary informs me that he is on his way to the Senate Chamber.

Mr. MOSES. I am informed by the Senator from Idaho [Mr. BORAH] that the Senator from Minnesota has no amendment that applies to the first reservation.

Mr. REED of Missouri. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CAMERON (when his name was called). I have a pair with the junior Senator from Washington [Mr. DILL]. I transfer that pair to the junior Senator from Delaware [Mr. DU PONT] and will vote. I vote "yea."

Mr. GERRY. I desire to announce that the senior Senator from Alabama [Mr. UNDERWOOD] and the junior Senator from New Jersey [Mr. EDWARDS] are necessarily detained from the Senate. If present, each of those Senators would vote "yea" on this question.

The roll call was concluded; and the result was announced—yeas 90, nays 1, as follows:

YEAS—90

Ashurst	Fess	McKellar	Sackett
Bayard	Fletcher	McKinley	Schall
Bingham	George	McLean	Sheppard
Blease	Gerry	McNary	Shipstead
Borah	Gillett	Mayfield	Shortridge
Bratton	Glass	Means	Simmons
Brookhart	Goff	Metcalf	Smith
Broussard	Gooding	Moses	Smoot
Bruce	Hale	Neely	Stanfield
Butler	Harrell	Norbeck	Stephens
Cameron	Harris	Norris	Swanson
Capper	Harrison	Nye	Trammell
Caraway	Heflin	Oddie	Tyson
Copeland	Howell	Overman	Wadsworth
Couzens	Johnson	Pepper	Walsh
Cummins	Jones, N. Mex.	Phipps	Warren
Curtis	Jones, Wash.	Pine	Watson
Dale	Kendrick	Pittman	Weller
Deneen	Keyes	Ransdell	Wheeler
Edge	King	Reed, Mo.	Williams
Ernst	La Follette	Reed, Pa.	Willis
Fernald	Lenroot	Robinson, Ark.	
Ferris		Robinson, Ind.	

NAYS—1

Frazier

NOT VOTING—5

Dill	Edwards	McMaster	Underwood
du Pont			

So reservation No. 1 was agreed to.

Mr. REED of Missouri. Mr. President, a parliamentary inquiry. As we proceed with the Swanson resolution, and it is accepted by the vote of the Senate, do we then vote upon the articles of the statute? Do we vote at all upon the articles of the statute at any time? Are we approving and ratifying here a document that never has been considered by the Senate, and upon which we are not to vote except in the form of a general approval?

The VICE PRESIDENT. The Chair will state that the form the question will take is: Will the Senate advise and consent to adherence on the part of the United States to the protocol of December 16, 1920, and the adjoined statute of the Permanent Court of International Justice, on the conditions specified in Senate Resolution 5, as modified or amended?

Mr. REED of Missouri. That does not quite answer my question, I think, with all respect to the Vice President. I may have put the question in an obscure way. I will state the point in this way: Here is a contract we are making—a treaty we are making, it is claimed. The body of all we agree to—wilt, the statute—never has been considered by the Senate. I want to know, if we are to pass a general resolution, such as the Swanson resolution, whether the Senate by that act cuts itself off from a right to vote upon the articles of the statute?

Mr. LENROOT. Mr. President, if the Senator will yield, the statute was read yesterday, article by article. Amendments were in order to each article as it was read if they had been offered under the rule. There were none, except those offered by the Senator from New Hampshire [Mr. MOSES], and this morning he waived the consideration of those.

Mr. MOSES. I will add to what the Senator from Wisconsin has said, Mr. President, that at the time I made that waiver, the statute having been read, amendments to the statute were at that minute in order.

Mr. REED of Missouri. I simply want to be clear about it; that is all. I want the Senate and the country to know that we never have given the slightest consideration to the body of the contract upon which we are about to enter.

Mr. LENROOT. It is the Senator's own fault if it was not done, because there was full opportunity to do so yesterday.

Mr. REED of Missouri. It might be my fault, but I think the fault lies with those who cut off debate and any opportunity ever to debate the statute.

Mr. SWANSON. Mr. President, if the Senator will permit me, yesterday afternoon we completed the reading of the statute,

paragraph by paragraph. It was suggested that we report it to the Senate, so that it could not be further considered as in Committee of the Whole. It was at the request of the Senator from Missouri that we took a recess and still left it in Committee of the Whole, as it is to-day, where it has been completed, article by article. It was suggested yesterday afternoon, if I understand correctly, that we should report the statute as read to the Senate and take up the reservations in the Senate; and the Senator asked for an adjournment, leaving it in the Committee of the Whole.

Mr. REED of Missouri. Oh, no; the Senator is in error about that. What I asked was that this whole matter should be left in the Committee of the Whole, and not the mere protocol or resolution of ratification. The Senator is in error.

Mr. SWANSON. But the Senator will remember that the whole statute was read yesterday.

Mr. REED of Missouri. I remember that it was read about as fast as it could be read.

Mr. SWANSON. But the Senator was listening, and there was every opportunity for amendment. There can be no misunderstanding about that.

Mr. REED of Missouri. It really was not read for amendment.

Mr. SWANSON. That was the only reason why it was read. It was read for amendment under the rule, which says that it shall be read, article by article, for amendment.

Mr. REED of Missouri. The Senator's resolution was read also. The statute was read also.

Mr. SWANSON. I do not know whether the resolution was read or not. I doubt it.

Mr. REED of Missouri. We did not have the matter before us for amendment. It is not before us now.

Mr. SWANSON. We did; and it was understood that it was about to be reported from the Committee of the Whole to the Senate, and the Senator requested, if I remember rightly, that it should continue in the Committee of the Whole unchanged until to-day, and a recess was taken until to-day.

Mr. REED of Missouri. Very well; if that be the case, that would leave it open for amendment now; but I did not make that request.

Mr. SWANSON. It has been read and debated in the Committee of the Whole. The Senator can offer any amendment in the Senate when it is reported to the Senate.

Mr. REED of Missouri. It never was debated in Committee of the Whole, in my recollection. I simply have asked for information. We have the ruling, and so we understand now that the Senate of the United States, without one moment's debate regarding this statute, which constitutes the body of the contract, are proceeding, under "gag" rule, to jam it down the throats of the Senate and of the country.

Mr. LENROOT. Mr. President, I want to take just a moment. I think it is true that this statute has not been debated by any of the opposition, except the Senator from Missouri and, to some extent, by the Senator from Idaho. Upon more than one occasion during the general debate I called attention to the fact that the opponents of the resolution were not debating the statute; that they were debating entirely the League of Nations, and I begged them to debate the statute, but I was always met with the response that they were going to do so by and by.

Mr. REED of Missouri. We intended to, but you gagged us, and did it deliberately, for your statute will not bear discussion.

The VICE PRESIDENT. The Secretary will read reservation No. 2.

The Chief Clerk read as follows:

RESERVATION NO. 2

That the United States shall be permitted to participate through representatives designated for the purpose and upon an equality with the other states, members, respectively, of the Council and Assembly of the League of Nations, in any and all proceedings of either the council or the assembly for the election of judges or deputy judges of the Permanent Court of International Justice or for the filling of vacancies.

Mr. BORAH. Mr. President, I desire to ask the Senator in charge of the resolution if he regards the reservation which I have pending as properly an amendment to this reservation? I regard it as a separate reservation and should prefer to offer it that way.

Mr. LENROOT. I have examined it. I do not think there is any conflict between the two.

The VICE PRESIDENT. The question is on agreeing to reservation No. 2.

Mr. REED of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CAMERON (when his name was called). Making the same announcement as before, I vote "yea."

The roll call was concluded.

Mr. GERRY. I desire to announce that the Senator from New Jersey [Mr. EDWARDS] and the Senator from Alabama [Mr. UNDERWOOD] are necessarily absent. If present, they would both vote "yea."

The result was announced—yeas 83, nays 8, as follows:

YEAS—83

Ashurst	Fess	Lenroot	Robinson, Ark.
Bayard	Fletcher	McKellar	Sackett
Bingham	George	McKinley	Schall
Bratton	Gerry	McLean	Sheppard
Brookhart	Gillett	McMaster	Shortridge
Broussard	Glass	McNary	Simmons
Bruce	Goff	Mayfield	Smith
Butler	Gooding	Means	Smoot
Cameron	Greene	Metcalf	Stanfield
Capper	Hale	Neely	Stephens
Caraway	Harrell	Norbeck	Swanson
Copeland	Harris	Norris	Trammell
Couzens	Harrison	Nye	Tyson
Cummins	Heflin	Oddie	Wadsworth
Curtis	Howell	Overman	Walsh
Dale	Johnson	Pepper	Warren
Deneen	Jones, N. Mex.	Phillis	Watson
Edge	Jones, Wash.	Pine	Weller
Ernst	Kendrick	Pittman	Wheeler
Fernald	Keyes	Ransdell	Willis
Ferris	King	Reed, Pa.	

NAYS—8

Blease	Frazier	Shipstead
Borah	La Follette	Williams

NOT VOTING—5

Dill	Edwards	Robinson, Ind.	Underwood
du Pont			

So reservation No. 2 was agreed to.

The VICE PRESIDENT. The Secretary will read reservation No. 3.

The Chief Clerk read as follows:

RESERVATION NO. 3

That the United States will pay a fair share of the expenses of the court as determined and appropriated from time to time by the Congress of the United States.

The VICE PRESIDENT. The question is on agreeing to reservation No. 3.

Mr. REED of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CAMERON (when his name was called). Repeating my previous announcement, I vote "yea."

The roll call was concluded.

Mr. GERRY. I desire to announce that the Senator from New Jersey [Mr. EDWARDS] and the Senator from Alabama [Mr. UNDERWOOD] are necessarily absent. If present, they would vote "yea."

The result was announced—yeas 89, nays 3, as follows:

YEAS—89

Ashurst	Fletcher	McLean	Schall
Bayard	George	McMaster	Sheppard
Bingham	Gerry	McNary	Shipstead
Borah	Gillett	Mayfield	Shortridge
Bratton	Glass	Means	Simmons
Brookhart	Goff	Metcalf	Smith
Broussard	Gooding	Moses	Smoot
Bruce	Greene	Neely	Stanfield
Butler	Hale	Norbeck	Stephens
Cameron	Harris	Norris	Swanson
Capper	Harrison	Nye	Trammell
Caraway	Heflin	Oddie	Tyson
Copeland	Howell	Overman	Wadsworth
Couzens	Johnson	Pepper	Walsh
Cummins	Jones, N. Mex.	Phillis	Warren
Curtis	Jones, Wash.	Pine	Watson
Dale	Kendrick	Pittman	Weller
Deneen	Keyes	Ransdell	Wheeler
Edge	King	Reed, Mo.	Williams
Ernst	La Follette	Reed, Pa.	Willis
Fernald	Lenroot	Robinson, Ark.	
Ferris	McKellar	Robinson, Ind.	
Fess	McKinley	Sackett	

NAYS—3

Blease	Frazier	Harrell
Dill	du Pont	Edwards
		Underwood

So reservation No. 3 was agreed to.

The VICE PRESIDENT. The clerk will state the next reservation.

The CHIEF CLERK. Reservation No. 4—

Mr. FRAZIER. Mr. President, yesterday I proposed a reservation to take the place of the first four reservations offered in this resolution. They were based on the resolution as originally introduced by the Senator from Virginia [Mr. SWANSON]. I ask unanimous consent to change the word "seven" to "eight" in the first line on page 2 of my proposed substitute, and to change the word "seven" to "two" in the second line.

Mr. LENROOT. Will the Senator wait until we have disposed of reservation No. 4?

Mr. FRAZIER. But mine is offered as a substitute for reservation No. 4.

Mr. LENROOT. Very well.

The VICE PRESIDENT. The Clerk will state the proposed amendment of the Senator from North Dakota [Mr. FRAZIER].

The Chief Clerk read as follows:

That all in Senate Resolution No. 5, beginning with line 8, on page 2, down to and including line 2, on page 3, be stricken out and the following reservation be inserted in its stead.

Mr. FESS. Mr. President, a point of order. As I understand it, the proposal is to strike out three reservations which we have already adopted. We can not do that.

The VICE PRESIDENT. It could only come under a motion to reconsider.

Mr. LENROOT. I have just examined the substitute offered by the Senator from North Dakota. As a matter of fact, I think it is really only a substitute for the fourth reservation.

Mr. MOSES. I believe that is correct. I think the substance of the reservation offered by the Senator from North Dakota is exactly a substitute for the pending reservation No. 4.

Mr. FESS. It is not in order the way the Clerk read it.

Mr. MOSES. That is quite true. What the Senator from Ohio said is correct so far as the preamble presented by the Senator from North Dakota is concerned, but so far as the matter contained in the pending reservation No. 4 referring to the amendment of the statute, the reservation presented by the Senator from North Dakota is a complete substitute.

Mr. WALSH. I ask that the proposed reservation may be read.

The VICE PRESIDENT. The clerk will read as requested.

The CHIEF CLERK. The Senator from North Dakota [Mr. FRAZIER] moves that all in Senate Resolution 5, beginning with line 8 on page 2, down to and including line 2 on page 3, be stricken out and the following reservation be inserted in its stead:

That such signature and adherence of the United States to the protocol of the Permanent Court of International Justice is given with the distinct understanding that the United States reserves the right to withdraw its signature and adhesion thereto at any time that the Congress of the United States may determine so to do, and that in event of such withdrawal it shall in no way be considered an unfriendly act.

Mr. LENROOT. The Senator desires to offer that as a substitute for reservation No. 4?

Mr. FRAZIER. I ask unanimous consent to offer it as a substitute for reservation No. 4 of the resolution.

Mr. LENROOT. I have no objection to that course.

The VICE PRESIDENT. Is there objection? The Chair hears none. The question is on the substitute offered by the Senator from North Dakota for reservation No. 4 of the resolution.

Mr. LENROOT. Mr. President, just a word in reference to the substitute. Reservation No. 4 of the Swanson reservations does explicitly provide that the United States may withdraw at any time. That is the substance of the Senator's reservation. But reservation No. 4 also has a provision that the statute shall not be amended without the consent of the United States. I hope the substitute will be voted down and that the Swanson reservation No. 4 will be agreed to.

Mr. BORAH. May I ask if the substitute offered by the Senator from North Dakota has any provision with reference to amending the statute of the court without our consent?

Mr. LENROOT. No; it has not.

The VICE PRESIDENT. The question is on agreeing to the substitute offered by the Senator from North Dakota.

The substitute was rejected.

The VICE PRESIDENT. The question is on agreeing to reservation No. 4.

Mr. REED of Missouri. I ask for the yeas and nays. We ought to have a record vote.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CAMERON (when his name was called). Making the same announcement as before, I vote "yea."

The roll call was concluded.

Mr. GERRY. I desire to announce that the senior Senator from Alabama [Mr. UNDERWOOD] and the junior Senator from New Jersey [Mr. EDWARDS] are necessarily detained from the Senate. If present, each of those Senators would vote "yea" on this question.

The result was announced—yeas 91, nays 1, as follows:

YEAS—91

Ashurst	Bratton	Butler	Copeland
Bayard	Brookhart	Cameron	Couzens
Bingham	Broussard	Capper	Cummins
Borah	Bruce	Caraway	Curtis

Dale	Harrison	Moses	Shipstead
Denoon	Heflin	Neely	Shortridge
Edge	Howell	Norbeck	Simmons
Ernst	Johnson	Norris	Smith
Fernald	Jones, N. Mex.	Nye	Smoot
Ferris	Jones, Was.	Oddie	Stanfield
Fess	Kendrick	Overman	Stephens
Fletcher	Keyes	Pepper	Swanson
Frazier	King	Phipps	Trammell
George	La Follette	Pine	Tyson
Gerry	Lenroot	Pittman	Wadsworth
Gillett	McKellar	Ransdell	Walsh
Glass	McKinley	Reed, Mo.	Warren
Goff	McLean	Reed, Pa.	Watson
Gooding	McMaster	Robinson, Ark.	Weller
Greene	McNary	Robinson, Ind.	Wheeler
Hale	Mayfield	Sackett	Williams
Harreld	Means	Schall	Willis
Harris	Metcalf	Sheppard	

NAYS—1

Blease

NOT VOTING—4

Dill du Pont Edwards Underwood

So reservation No. 4 was agreed to.

The VICE PRESIDENT. The Clerk will state the next reservation.

The CHIEF CLERK. Reservation No. 5:

That the court shall not render any advisory opinion except publicly after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned; nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest.

Mr. REED of Missouri. Mr. President, just an inquiry. I think that the clerk perhaps omitted a word in his reading. I would like to have him kindly read the first sentence again. The Chief Clerk read as follows:

That the court shall not render any advisory opinion except publicly after due notice to all states adhering to the court and to all interested states and after public hearing or opportunity for hearing given to any state concerned.

Mr. REED of Missouri. As first read I thought the article "the" was used, but it is not.

Mr. BORAH. Mr. President, I desire to ask Senators in charge of the resolution if they are satisfied that the word "render" is the proper word to express what I take it they desire to express. They say that "the court shall not render any advisory opinion." Ordinarily when we speak of rendering an opinion we speak of the mere fact of making public an opinion after the question has been entertained and jurisdiction accepted and the case argued. If that is the meaning of the word, it is incongruous with the rest of the sentence that "the court shall not render any advisory opinion except publicly after due notice to all the states adhering to the court." What was evidently intended was that there should be no consideration of an advisory proposition until the different states had notice. It ought to be "entertain and render," it seems to me. I make that suggestion.

Mr. ROBINSON of Arkansas. The Senator would not say "entertain an advisory opinion?" He would say, rather, "entertain a request for an advisory opinion or render an advisory opinion."

Mr. BORAH. But the words, as they are ordinarily considered with reference to judicial action, relate simply to the rendition of the opinion after argument and consideration.

Mr. LENROOT. But the words are "rendered after due notice."

Mr. BORAH. Yes; the court could not render it until after due notice, but the notice would not be of much value if the matter had been considered and decided and notice then given as to rendering the opinion.

Mr. LENROOT. After public hearing.

Mr. BORAH. But we are not interested in the mere question of publicity as to the rendering of the opinion; we are interested in publicity as to the hearing.

Mr. SWANSON. The language reads:

That the court shall not render any advisory opinion except publicly—

The rendering of an opinion is generally done publicly, although frequently, of course, judges consult among themselves in regard to an opinion—after due notice.

It seems to me that language does not permit of the construction suggested by the Senator from Idaho.

Mr. CARAWAY. May I interrupt the Senator?

Mr. SWANSON. Yes.

Mr. CARAWAY. The reservation provides:

That the court shall not render any advisory opinion except publicly—

The word "render" there means shall not consider, shall not entertain, shall not arrive at any decision, and shall not hand down any opinion until after due notice, and that the opinion then shall be handed down publicly.

Mr. SWANSON. It seems to me the language covers the matter entirely; it seems to me to be amply sufficient.

Mr. BORAH. What is intended by the language, as I take it, is that the entire proceedings with reference to an advisory opinion shall be public. If that is the construction, and the court will accept of it, of course it is entirely satisfactory. But I think the language in the reservation should be clarified.

Mr. WALSH. I apprehend that as to the substance of this reservation there will be no substantial objection, and I understand the remarks of the Senator from Idaho are directed merely to language in which it is expressed. I am inclined to think that the criticism urged by the Senator from Idaho has merit in it. I, therefore, suggest to the Senator from Virginia that the matter go over with a view to conference for the purpose of perfecting the reservation.

Mr. SWANSON. What language would the Senator from Idaho suggest?

Mr. BORAH. To expedite the matter, we could pass upon it here, and then take it up later in the Senate.

Mr. SWANSON. What language would the Senator suggest?

Mr. BORAH. I will suggest language to the Senator as soon as I have a little time to do so.

Mr. SWANSON. Suppose we adopt it as in Committee of the Whole and then let it come up later in the Senate?

Mr. BORAH. Very well; that is understood.

Mr. SWANSON. I propose that we adopt it now and then we can consider it again in the Senate.

Mr. ROBINSON of Arkansas. I merely wish to say that it appears to me that the word "render" is a very appropriate word to express the intention. The word "render" means make, give, or express.

The VICE PRESIDENT. The question is on agreeing to reservation No. 5.

Mr. REED of Missouri. I ask for the yeas and nays.

Mr. ASHURST. Has the reservation been read?

The VICE PRESIDENT. It has not all been read.

Mr. SWANSON. We do not, I think, want a separate vote on the paragraph in reservation No. 5 from lines 11 to 16. That had just as well be read.

The VICE PRESIDENT. The Secretary will read as requested.

The Chief Clerk read as follows:

The signature of the United States to the said protocol shall not be affixed until the powers signatory—

Mr. BORAH. Is the Secretary reading reservation No. 5?

The VICE PRESIDENT. He is reading from line 11 to line 16.

Mr. BORAH. It has been agreed that reservation No. 5 shall be passed upon and then that it shall be taken up later in the Senate.

Mr. WALSH. Let me suggest that reservation No. 5 consists of two separate paragraphs, dealing really with two subjects. I suggest that it be divided and that the vote be taken upon the first paragraph.

Mr. SWANSON. There are two separate paragraphs.

Mr. BORAH. I think we had better take the reservation up altogether.

Mr. WALSH. I have no objection to that being done.

Mr. MOSES. What will be the effect if we now adopt lines 11 to 16, inclusive, on page 3, when there are still further reservations to be offered?

Mr. LENROOT. I think after article 5 shall have been read we should then go on to other reservations.

Mr. MOSES. Does the Senator mean both paragraphs of reservation 5, or are we to assume that lines 11 to 16 constitute another matter?

Mr. LENROOT. They are two different propositions.

Mr. MOSES. I thought the Senator from Virginia was contending that they were coupled together.

Mr. SWANSON. There are two separate propositions contained in reservation No. 5, and any Senator may ask for a separate vote on them; but there is no request for a separate vote of which I am aware.

Mr. MOSES. I quite misunderstood the tenor of the suggestion made by the Senator from Virginia.

Mr. WALSH. I wish to call attention to the fact that really reservation 5 ends with line 22.

Mr. LENROOT. Certainly.

Mr. WALSH. What follows thereafter—the second paragraph—is not in the nature of a reservation at all. It deals with an entirely different subject.

Mr. MOSES. That is exactly what I was trying to point out, and that there might be out of the wealth of further reservations one that would be agreed to.

Mr. WALSH. As a matter of fact, nothing after line 22 comprises a portion of reservation 5 at all.

Mr. MOSES. Then, Mr. President, if there is any question about that, I should like to make a further parliamentary inquiry—whether it is in order for me to ask unanimous consent that, after having dealt with lines 3 to 10, inclusive, on page 3, paragraph 5, we shall then proceed to offer additional reservations? If there is no question about it, and in my mind there is not—

Mr. LENROOT. I do not think there can be any objection to the course suggested by the Senator.

Mr. MOSES. The Senator from Wisconsin agrees with me that there is no objection to that procedure, and that that will naturally take place; therefore, I will not press my parliamentary inquiry.

SEVERAL SENATORS. Vote!

Mr. LENROOT. I merely wish to say one word with reference to reservation No. 5. Yesterday considerable objection was made, and statements were made, that an entirely new proposition has been put before the Senate in the modification of reservation No. 5. So far as the four reservations which have been adopted are concerned, they did not in the least change the situation from that which heretofore existed in the opinion of most of the Senators.

So far as the fifth reservation is concerned, there is no conflict whatever between that and the original reservation No. 5. It does but two things: It makes permanent the rules of the court that all advisory opinions shall be public and shall be made after public hearing; and, second, that no advisory opinion shall be rendered affecting the interests of the United States or interests claimed by the United States to be affected without the consent of the United States.

I wish merely to say this with reference to the argument which has been made by the Senator from Indiana [Mr. ROBINSON] this afternoon, that neither the Monroe doctrine nor any other question can come before the court without the consent of the United States where any right or interest of the United States is affected.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on agreeing to the first paragraph of reservation No. 5, from lines 3 to 10, inclusive.

Mr. REED of Missouri. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. CAMERON (when his name was called). Making the same announcement as before with reference to the transfer of my pair, I vote "yea."

The roll call was concluded.

Mr. GERRY. I desire to announce that the senior Senator from Alabama [Mr. UNDERWOOD] and the junior Senator from New Jersey [Mr. EDWARDS] are necessarily detained from the Senate. If present, each of those Senators would vote "yea" on this question.

The result was announced—yeas 91, nays 1, as follows:

YEAS—91

Ashurst	Fletcher	McKellar	Robinson, Ind.
Bayard	Fraxier	McKinley	Sackett
Bingham	George	McLean	Schall
Borah	Gerry	McMaster	Sheppard
Bratton	Gillett	McNary	Shipstead
Brookhart	Glass	Mayfield	Shortridge
Broussard	Goff	Means	Simmons
Bruce	Gooding	Metcalf	Smith
Butler	Greene	Moses	Smoot
Cameron	Hale	Neely	Stanfield
Capper	Harrell	Norbeck	Stephens
Caraway	Harris	Norris	Swanson
Copeland	Harrison	Nye	Trammell
Couzens	Heflin	Oddie	Tyson
Cummins	Howell	Overman	Wadsworth
Curtis	Johnson	Pepper	Walsh
Dale	Jones, N. Mex.	Phlipps	Warren
Deneen	Jones, Wash.	Pine	Watson
Edge	Kendrick	Pittman	Weller
Ernst	Keyes	Ransdell	Wheeler
Fernald	King	Reed, Mo.	Williams
Ferris	La Follette	Reed, Pa.	Willis
Fess	Lenroot	Robinson, Ark.	

NAYS—1

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NOT VOTING—4

Dill du Pont Edwards Underwood

So the first paragraph of reservation No. 5, from lines 3 to 10, was agreed to.

Mr. MOSES. Mr. President, it is my understanding that the Senator from Virginia wishes to go forward with the two declarations which are contained in this resolution, beginning on line 17 of page 3, and continuing through line 7 on page 4.

Mr. SWANSON. I think we had better carry out the agreement made, that this resolution shall be completed and perfected, and then you can go back.

Mr. MOSES. I want it distinctly understood that I may then go back to propose an additional reservation to be inserted after line 10, on page 3.

Mr. SWANSON. I have no objection; but I think we ought to carry out the agreement that these reservations were to be completed and perfected before anything else was taken up.

Mr. MOSES. That was not my understanding of the agreement, Mr. President. My understanding of the agreement was that after the reservations proposed by the Senator from Virginia had been perfected, the Senator from Missouri and I would be at liberty to offer our substitutes.

Mr. SWANSON. After they are completed; that is true; that is understood.

Mr. MOSES. Yes; but meantime we wish to offer amendments which are properly before the Senate as in Committee of the Whole.

Mr. LENROOT. I suggest that the Senator from Virginia go ahead and then return to this point.

Mr. MOSES. I am not fussy about it. It being agreed that I may return to that point, I am quite agreeable to it.

The VICE PRESIDENT. The Secretary will continue the reading.

The Chief Clerk read as follows:

The signature of the United States to the said protocol shall not be affixed until the powers signatory to such protocol shall have indicated, through an exchange of notes, their acceptance of the foregoing reservations and understandings as a part and a condition of adherence by the United States to the said protocol.

Mr. WILLIAMS. Mr. President, I desire to make an inquiry of the Senator from Wisconsin or the Senator from Virginia. What follows from line 11 on is no part of the reservation, is it?

Mr. SWANSON. It is no part of the reservation. It is a stipulation that the signature shall not be affixed until these reservations are consented to. I should consider it a part of the conditions upon which the ratification is made.

The VICE PRESIDENT. The question is on agreeing to that paragraph of Reservation No. 5, which has just been read.

Mr. WALSH. Mr. President, I feel impelled to say, with respect to this particular provision, that the press at least has spoken of this as something in the nature of an obstacle in the way, and those who tender it have been subjected to some criticism for that reason. I supposed, however, that everybody realized from the beginning that it was necessary to get the assent of the other nations signatory to this treaty to any reservations or conditions that we might attach to our adherence. This merely expresses the manner by which that assent is to be indicated. It does not add in any respect to the difficulties of the task of the court.

The VICE PRESIDENT. The question is upon agreeing to the second branch of reservation 5, lines 11 to 16. [Putting the question.] The ayes have it, and the branch is agreed to.

The Secretary will continue the reading of the resolution. The Chief Clerk read as follows:

Resolved further, As a part of this act of ratification that the United States approve the protocol and statute hereinabove mentioned, with the understanding that recourse to the Permanent Court of International Justice for the settlement of differences between the United States and any other state or states can be had only by agreement thereto through general or special treaties concluded between the parties in dispute; and—

Mr. SHIPSTEAD. Mr. President, a parliamentary inquiry. The VICE PRESIDENT. The Senator from Minnesota.

Mr. SHIPSTEAD. This provision apparently is not covered by that part of reservation 5 from lines 11 to 16.

Mr. SWANSON. Mr. President, that is true; but this is a domestic matter, as to how we shall refer cases to the court. We do not want to have other nations intruding themselves into our domestic affairs, to say by what process we ourselves shall determine the reference of matters to the Permanent Court of International Justice. It is entirely a domestic matter.

Mr. MOSES. "In other words, may I say to the Senator, this is a declaration of our own policy, and it makes no difference to us whether the rest of the world agrees to it or not; we are going to stand by it."

Mr. SWANSON. We do not want them to assent to it. I would not let any foreign nation determine what we shall do in a domestic way in regard to our own affairs, whether the President or the Senate shall do it or Congress shall do it. It is a matter for us to determine, not requiring the assent of other nations.

Mr. SHIPSTEAD. The Senator does not think it is necessary to have their consent or permission to the limitation of the jurisdiction of the court?

Mr. SWANSON. We do not want it. Our Constitution provides how matters shall go to foreign tribunals or foreign courts. We do not want to get the assent of foreign nations to what we shall do under our own Constitution.

Mr. WALSH. Mr. President, in the same way the reservations have been criticized because of this particular reservation, and it is urged that this emasculates the resolution, because the Senate will be required to give its consent and there will be trouble about getting the consent of the Government. As I stated on yesterday, Mr. President, this does not change the situation in any respect. The Government of the United States is entitled now, if it sees fit to do so, to submit a controversy to the court. It can submit a controversy to the court now, and it can submit a controversy to the court after we sign the protocol, if we do, only by virtue of an agreement which we enter into with the other party to the controversy; and that agreement is a treaty. We can not get before the court except by virtue of a treaty with the other party litigant. The protocol does not change that situation in any particular at all. We merely say that it must be accomplished by a treaty, which requires the joint action of the President and the Senate. This is nothing more nor less than a declaration of what the law is, what our Constitution provides.

A great many people are dissatisfied with that. They say, "You will never get a controversy before the court." That may be so; but, unfortunately, the fault is found with the Constitution of the United States and not with this resolution.

Mr. BORAH. Which is not a fault at all.

Mr. WALSH. It is not a fault, certainly, if there is any controversy about it; but the point I am making is that this does not add anything at all to the situation or change it in any particular whatever.

Mr. PEPPER. Mr. President, may I inquire of the Senator from Montana whether this language does not bear a close relationship to the language in The Hague convention dealing with this same question?

Mr. WALSH. It does.

Mr. PEPPER. I understand that that language, adapted merely to the necessities of this case, is the precise provision contained in The Hague convention of 1907.

The VICE PRESIDENT. The Senator from Minnesota has the floor. Does he yield; and if so, to whom?

Mr. SHIPSTEAD. I yield the floor.

Mr. REED of Missouri. Mr. President—

Mr. MOSES. Mr. President, will the Senator permit me to express my thanks to the Senator from Virginia before the vote is taken on this paragraph? I want to thank the Senator from Virginia for the words he used in the recent colloquy, namely, "foreign court" and "foreign tribunal."

Mr. REED of Missouri. Mr. President, I should like to ask the Senator from Montana for his construction of this language:

Recourse to the Permanent Court of International Justice for the settlement of differences between the United States and any other state or states can be had only by agreement thereto through general or special treaties concluded between the parties in dispute.

If such a treaty now exists, would not disputes under it come before the court?

Mr. WALSH. Yes; if such a treaty does exist; but I am very sure there is no such treaty. Attention was called to the fact that there is a treaty pending before us—the treaty dealing with traffic in arms and ammunition, according to my recollection—which provides that in case the United States should be a subscriber to the protocol, and any controversy should arise over the construction of that treaty, it should be referred to the court. When that treaty comes before us, we will consider the question as to whether or not we care to submit our controversies to this court. It takes no jurisdiction until we, by treaty, give it jurisdiction.

Mr. SWANSON. Mr. President, there is no treaty whatever to which we are a party, unless it is under some of these mandates that we have accepted, possibly, which would refer

anything to the Permanent Court of International Justice. When The Hague convention was ratified it used this precise language, "special or general treaties." To make that convention operative Secretary Root entered into 22 treaties, I think, with other nations, Great Britain and others, providing that certain cases should go to them under certain conditions, or that there should be a special treaty for a specific case. This language contemplates that the Senate would have to ratify a general treaty with other nations, or a special treaty for each case when submitted to the court.

Mr. ROBINSON of Arkansas. Mr. President, if this reservation were not incorporated in the resolution, the process would be the same. Before a cause could be submitted to the Permanent Court of International Justice it would be necessary that the United States agree to the submission through either a special or a general treaty.

Mr. SWANSON. That is true. Mr. Wickersham, who appeared before the committee when they were having hearings on the World Court, stated distinctly that if we adopted this protocol recourse could be had to the court only by special or general treaty.

The VICE PRESIDENT. The question is upon agreeing to the third branch of reservation 5, lines 17 to 24, inclusive. [Putting the question.] The ayes have it, and the third branch of the reservation is agreed to. The Secretary will continue the reading.

The Chief Clerk read as follows:

Resolved further, That adherence to the said protocol and statute hereby approved shall not be so construed as to require the United States to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall adherence to the said protocol and statute be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

Mr. REED of Missouri. Mr. President, I offer an amendment to this clause, which I have filed and which is properly printed. It is as follows:

Resolved further, That the Monroe doctrine be declared as a principle of international law binding upon the court.

That is to be added at the end of the last clause.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The CHIEF CLERK. After line 7, on page 4, insert the following:

Resolved further, That the Monroe doctrine be declared as a principle of international law binding upon the court.

Mr. REED of Missouri. Mr. President, I want just one minute on my proposed amendment, and then I will be ready to vote. The language employed in the text is to the effect that the entrance of the United States into this treaty shall not be considered as a relinquishment by the United States of its traditional attitude toward purely American questions.

The Monroe doctrine has never been recognized as a principle of international law by any authoritative body. It has been asserted as a national policy. If we are going into this international agreement, this is the time and place to assert the Monroe doctrine, not to assert that we do not relinquish our rights under it, but to assert it as a doctrine and ask the other nations to admit it as a doctrine. So I move the amendment, and upon it I ask for the yeas and nays.

Mr. SWANSON. Mr. President, the term used here is the language that has been used, I suppose, for over half a century to define American policy in connection with the Monroe doctrine, a political policy. It was used in the resolution of ratification of The Hague convention, and I think the same language was used in the resolution of ratification of the Algebras treaty. This is the language which we have used for half a century to indicate that we do not surrender our rights under the Monroe doctrine. The Monroe doctrine is not international law; it is a political policy of the United States to assert our idea of justice and right. It is not international law.

Mr. CARAWAY. The very moment you declare it to be a question of international law you give the international court the right to pass on it, do you not?

Mr. SWANSON. It is a policy which has been maintained by the United States as one of our political policies, and we are not willing to have it incorporated in the body of international law. The language found in this reservation has been used every time America has desired to preserve its traditional policy in connection with American matters.

Mr. LENROOT. As just suggested by the Senator from Arkansas, the Monroe doctrine is not a matter of international law. It is wholly an American policy; and if the amendment

of the Senator from Missouri should prevail, it would become a matter of international law, so far as the court was concerned, and would give jurisdiction to the court to pass upon the Monroe doctrine, which, without this amendment, it can never pass upon without the consent of the United States. I hope the amendment will be defeated.

Mr. REED of Missouri. Mr. President, that is arguing strangely in a circle. Let me first answer the proposition that we have not heretofore in our treaties demanded the recognition of the Monroe doctrine. We have not, because in those treaties we were dealing as a nation, and recognizing no international tribunal, submitting nothing to an international tribunal, but constantly asserting our doctrine, a doctrine which rests to-day only upon its justice and upon the force and power of the United States.

Mr. SWANSON. If the Senator will permit me, our participation in The Hague Arbitration Court was consummated by a convention similar to this, and this was the language that was used in that case.

Mr. REED of Missouri. We had a convention regarding The Hague, a purely voluntary tribunal of arbitration. Now we are asked to take a further step, to agree to submit our controversies to a court. That court will undertake to pass upon all questions of international law. If the Monroe doctrine is not a matter of international law, it will pass upon the question without regard to the Monroe doctrine.

Mr. SHORTRIDGE and Mr. LENROOT rose.

Mr. REED of Missouri. Wait just a moment. If we say the Monroe doctrine shall be recognized as a principle of international law, we do not thereby relinquish our right to assert the doctrine with our own construction. If Senators desire to vote the amendment down, let them do so, but let us understand perfectly that they are to-day, as this question now stands, simply standing upon the doctrine that the United States does not submit the Monroe doctrine, and therefore it must defend it itself; that we are going into a court which assumes jurisdiction under international law, and Senators refuse to incorporate this principle in international law.

Mr. SHORTRIDGE. Mr. President, I rose merely to make an inquiry of the Senator from Missouri. I invite his attention and that of the Senate to what would happen if the suggested amendment of the Senator should be adopted. Of course, we all remember that it was in 1823 that the Monroe doctrine was proclaimed by the United States of America. Up to this time we have asserted the right to interpret that doctrine. I submit to the learning of the Senator from Missouri, if his amendment is adopted we have really given to the court in question the right to interpret that doctrine, a thing which I shall never consent to, a thing which President Cleveland never consented to, and which the great President Roosevelt did not consent to. I have in mind—and I am very sure the learning of the Senator from Missouri recalls it—the resolution introduced and adopted by the Senate, presented by the late great and lamented Senator from Massachusetts, Senator Lodge, in which resolution he undertook, and the Senate agreed with him, to expand, so to speak, and properly, that doctrine as from the time it was first announced, so as to make it apply to the Pacific coast. Originally, of course, it applied immediately to European countries as of 1823. Neither John Quincy Adams nor James Monroe had any fear of oriental countries, but the Lodge resolution, adopted by the Senate, in a sense expanded the doctrine to embrace the Pacific coast, the great Pacific Ocean, and the lands that lie beyond, immediately addressing itself to Magdalena Bay, and the then fear, whether well grounded or not, that a certain oriental nation sought a naval base at Magdalena Bay in Lower California.

Therefore, I merely invite the Senator's logical mind to the proposition that we must not here, by any affirmative action, give any force to any claim that this court will have any jurisdiction to interpret or pass upon the Monroe doctrine, which was, and is, and I hope ever will be, an essentially American doctrine.

Mr. REED of Missouri. Mr. President, let me answer the Senator by saying that in my judgment his reasoning is all wrong, and that when we make other nations admit the Monroe doctrine, we do not yield our right to construe and defend it.

Mr. BORAH. Mr. President, I want to ask the Senator from California a question. According to the press dispatches, there is contemplated an arrangement between Mexico and Japan by which Japan is to have the privilege of colonizing certain parts of Mexico. Suppose that should be objected to by the United States under the Monroe doctrine, or, rather, the principle of self-defense, which is another name for the Monroe doctrine. Will there be any way, after this resolution

shall have been adopted and we have gone into the court under this resolution, by which Mexico and Japan, they being members of the League of Nations and also members of the court, could have an advisory opinion upon that question?

Mr. SHORTRIDGE. I answer, that any advisory opinion which they might give would be contrary to certain reservations which we have already adopted, for such a proposed arrangement between Japan and Mexico, I say, would affect us or interest us, and under a reservation we have adopted we would have a right, in a sense, to intervene. But whether or not the court had a right to entertain the question as to whether the Monroe doctrine was affected by this reservation we do not waive our rights; on the contrary, we declare that the court shall not "entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest. With this resolution, with all or any of these reservations, we do not waive a right which I claim, namely, a right to interpret and in a proper case assert this doctrine, as we understand it. Whether in a given case, upon the true philosophy of the Monroe doctrine, we would have a right to complain, I am not now forced to consider, for it would depend, manifestly, upon the facts then existing or feared. I allude to the Lodge resolution because there was a proposition to establish a naval base at Magdalena Bay, and the Senate considered, as of then, that that would be inimical to the rights of the United States.

Mr. SWANSON. Mr. President, will the Senator yield for a question?

Mr. SHORTRIDGE. Yes.

Mr. SWANSON. There is a provision in this reservation that would absolutely prohibit any advisory opinion.

Mr. SHORTRIDGE. I think so.

Mr. SWANSON. There is a provision that where the United States has an interest or right, or claims a right or interest, no advisory opinion can be rendered without its consent. All the United States would have to do, with the reservation adopted, would be to notify the court that they claimed an interest and objected to an advisory opinion.

Mr. CARAWAY. Mr. President, I was about to suggest to the Senator from California that if we should stay out of the court, and therefore these reservations not become effective, if Mexico and Japan saw fit to submit the question referred to by the Senator, we would be in no position to defend ourselves. If we should follow the advice of the Senator from Idaho and stay out of the court, then the court could entertain any question, whether it affected our rights or whether we assented or did not assent. But if we go into the court with this reservation, we protect ourselves against the very thing the Senator from Idaho now seems to fear.

Mr. BORAH. Will not the Senator from Arkansas be a little more generous with the Senator from Idaho and admit that if we had gone in under the original resolution, which went no further than to say we would not be bound by it, instead of this resolution, which says that the opinion shall not be entertained, we would have been in a position where they could have entertained it, and we would have been powerless?

Mr. CARAWAY. Will not the Senator from Idaho be so generous as to say now that if he shall prevail, and we do not go into the court at all, we will be in no position to prevent the court from handing down an opinion, either advisory or otherwise?

Mr. BORAH. No; there is another way by which we protect ourselves if we do not go into the court. We are in no way bound to consider the action of a foreign court of which we are not a member.

Mr. CARAWAY. Yes; with a gun.

Mr. REED of Missouri. That is what we will have to do.

Mr. BORAH. That is likely what will happen if the court assumes to advise on matters of a certain kind.

Mr. CARAWAY. Then we shall be in no worse fix than we are in now.

Mr. BORAH. Yes; we will have been sitting upon the tribunal which had passed upon the matter and of which we are a member.

Mr. CARAWAY. No; the tribunal can not pass upon it if we go into it with this reservation, unless we assent to it. But if we follow the Senator's advice, the court can pass upon it and we will not be in a position to object, because we will have refused to participate.

Mr. BORAH. Then, as I understand the Senator, we are going into the court for the purpose of protecting ourselves against the court.

Mr. CARAWAY. We are going into the court in order to protect ourselves against people who want to have war in

order to protect other people. According to the Senator's position, he wants to stay out so we can not protect ourselves at all.

Mr. SHORTRIDGE. I invite the attention of the Senator from Idaho to the express language of reservation 5:

Nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest.

Mr. REED of Missouri. Mr. President, before the Senator from California takes his seat, will he permit me to get his idea in regard to the matter of advisory opinions? The reservation undertakes to protect the United States against advisory opinions. Suppose that Haiti, being a member of the league, and England, being a member of the league, should enter into a treaty whereby Haiti was to grant to England rights in the bays or in the ports of Haiti. Suppose a dispute should arise between them with reference to the rights of either country under that treaty and they should appeal to the court. Would that be an advisory opinion or would that be an actual case before the court?

Mr. SHORTRIDGE. That is not a case in point, and I do not feel called upon to clarify the situation and make answer to the question.

Mr. REED of Missouri. I think it is exactly in point; because if the case I put is not covered as an advisory matter, but is an actual case, then we are not protected against the decisions in actual cases.

Mr. SHORTRIDGE. If we claim an interest in such a case, we would have the right to assert it, and by these reservations the court is precluded from entertaining that case or rendering that advisory opinion.

Mr. REED of Missouri. Would it be advisory? That is the question I am asking the Senator.

Mr. SHORTRIDGE. I rose merely to make an inquiry originally of the Senator from Missouri in regard to his proposed amendment as it might affect the Monroe doctrine. I have my own views in regard to that doctrine, and I happen to know something of its origin and its application. I assert for myself that whether we adhere to the court or not, with or without any reservations, there is no court on this earth set up and there is no nation on the earth that has or will have a right to determine what the Monroe doctrine is. We shall determine what that doctrine is; and if we be not incompetent, decadent, pusillanimous, and unworthy sons of brave men and women, we will do as Cleveland did and as Roosevelt did and say to England or to Germany, "You shall not violate this doctrine as we have interpreted it."

Mr. STEPHENS. I would like to ask the Senator from Wisconsin [Mr. LENROOT] with reference to his intention to reach a final vote to-night.

Mr. LENROOT. I expect to ask the Senate to go into secret executive session when we conclude with the so-called Swanson reservations. We will not go any further to-night, but we hope to conclude to-morrow and will conclude to-morrow.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri.

Mr. REED of Missouri. I ask for the yeas and nays. The yeas and nays were ordered and taken.

Mr. GERRY. I desire to announce that the senior Senator from Alabama [Mr. UNDERWOOD] and the junior Senator from New Jersey [Mr. EDWARDS] are necessarily detained from the Senate. If present, each of these Senators would vote "nay" on this question.

The result was announced—yeas 6, nays 82, as follows:

YEAS—6			
Blease Copeland	Harrell Johnson	Moses	Reed, Mo.
NAYS—82			
Ashurst	Fletcher	McKellar	Schall
Bayard	Frazier	McLean	Sheppard
Bingham	George	McMaster	Shipstead
Borah	Gerry	McNary	Shortridge
Bratton	Gillett	Mayfield	Simmons
Brookhart	Glass	Means	Smith
Broussard	Goff	Metcalf	Smoot
Bruce	Gooding	Neely	Stanfield
Butler	Greene	Norris	Stephens
Cameron	Hale	Nye	Swanson
Capper	Harris	Oddie	Trammell
Caraway	Harrison	Overman	Tyson
Couzens	Heflin	Pepper	Wadsworth
Curtis	Howell	Phelps	Walsh
Dale	Jones, N. Mex.	Pine	Warren
Deneen	Jones, Wash.	Pittman	Watson
Edge	Kendrick	Ransdell	Weller
Ernst	Keyes	Reed, Pa.	Wheeler
Fernald	King	Robinson, Ark.	Willis
Ferris	La Follette	Robinson, Ind.	
Fess	Lenroot	Sackett	

NOT VOTING—8

Cummins	du Pont	McKinley	Underwood
Dill	Edwards	Norbeck	Williams

So the amendment offered by Mr. REED of Missouri was rejected.

The VICE PRESIDENT. The question is on agreeing to the fourth branch of reservation No. 5, being lines 25 and 26 on page 3 and lines 1 to 7 on page 4, which the Clerk will read.

The Chief Clerk read as follows:

Resolved further, That adherence to the said protocol and statute hereby approved shall not be so construed as to require the United States to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall adherence to the said protocol and statute be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

The fourth branch of reservation No. 5 was agreed to.

Mr. MOSES. Mr. President, I wish now to offer an amendment, on page 3, after line 10, which I will ask to have read. I will add that I shall not press for discussion or vote upon it this evening, but I wish to have the question pending when the Senate reassembles to-morrow after the recess.

The VICE PRESIDENT. The Clerk will state the reservation offered by the Senator from New Hampshire.

The CHIEF CLERK. On page 3, after line 10, insert the following:

6. That the adherence of the United States to the statute of the World Court is conditioned upon the understanding and agreement that the judgments, decrees, and/or advisory opinions of the court shall not be enforced by war under any name or in any form whatever.

EXECUTIVE SESSION, WITH CLOSED DOORS

Mr. LENROOT. I move that the Senate proceed to the consideration of executive business, with closed doors.

The motion was agreed to, and the Senate proceeded to the consideration of secret executive business. After five minutes the doors were reopened.

PETITIONS AND MEMORIALS

As in legislative session,

Mr. COPELAND presented the following telegrams relative to the participation of the United States in the World Court, which were ordered to lie on the table and to be printed in the RECORD, as follows:

[Western Union telegram]

ITHACA, N. Y., January 23, 1926.

Senator COPELAND,

Capitol Building, Washington, D. C.:

Telegram sent you by Ralph Smith does not represent all of Ithaca. Town and city divided on question. Believe majority of Tompkins County overwhelmingly against us entering World Court. Other telegrams following.

Rev. L. E. GOULD,

L. E. CHASE, Supervisor Town of Ithaca.

[Western Union telegram]

ITHACA, N. Y., January 23, 1926.

Senator ROYAL S. COPELAND,

Washington, D. C.:

Cornell students and faculty voted overwhelmingly in favor of entering World Court. Only 4 votes against entering out of approximately 1,000 cast. Telegram from M. E. Snyder and committee was from local Republican club of Ithaca, not from Cornell students or faculty.

RALPH SEWARD,

Chairman Students' World Court Committee, Cornell University.

Mr. EDGE presented a resolution adopted by the Woman's Christian Temperance Union of Essex County, N. J., protesting against the alleged attitude of the senior Senator from New Jersey, Mr. EDGE, relative to the enforcement of the eighteenth amendment to the Constitution and the so-called Volstead Act, which was referred to the Committee on the Judiciary.

Mr. FERRIS presented memorials of sundry citizens of Antrim, Bay, Wayne, Shiawassee, Jackson, Lenawee, Dickinson, Kent, and Oakland Counties and of Detroit, Kalamazoo, Bay City, Oakland, Hartford, Munising, Grayling, Royal Oak, Hart, Niles, Muskegon, Saginaw, Owosso, and Antwerp Townships, all in the State of Michigan, remonstrating against the participation of the United States in the Permanent Court of International Justice, which were ordered to lie on the table.

Mr. BINGHAM presented a petition of faculty members of the department of geological sciences of Yale University, praying the amendment of the existing copyright law by inserting the words "or mimeographic process" after the words "or photo-engraving process," in lines 9, 15, 34, and 41 of said section 15, which was referred to the Committee on Patents.

He also presented memorials and papers in the nature of memorials from 180 citizens of Windham County; sundry citizens of Burnside, Stonington, Norwich, Mystic, Bridgeport, Stratford, New London, Niantic, East Lyme, Ansonia, Derby, Shelton, Southbury, Seymour, Huntington, and South Britain, all in the State of Connecticut, remonstrating against the participation of the United States in the Permanent Court of International Justice, which were ordered to lie on the table.

Mr. WARREN presented a memorial of sundry citizens of Pine Bluffs, Wyo., remonstrating against the participation of the United States in the Permanent Court of International Justice, which was ordered to lie on the table.

He also presented a resolution adopted by members of the Wyoming Game and Fish Commission, remonstrating against any extension of the boundaries of the Yellowstone National Park, which was referred to the Committee on Public Lands and Surveys.

He also presented a memorial of the Sheridan Commercial Club, of Sheridan, Wyo., remonstrating against amendment of the existing immigration act so as to prohibit the immigration of Mexicans into the United States, which was referred to the Committee on Immigration.

Mr. McLEAN presented the petition of Charles L. Burdette Camp, No. 4, United Spanish War Veterans, of Hartford, Conn., praying for the passage of legislation granting increased pensions to Spanish-American War Veterans, which was referred to the Committee on Pensions.

He also presented the petition of members of the Department of Connecticut Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, of Waterbury, Conn., favoring the passage of legislation granting increased pensions to Civil War Veterans and their widows, which was referred to the Committee on Pensions.

He also presented a letter in the nature of a petition from the Conservation Committee, Connecticut Federation of Women's Clubs, at New Haven, Conn., favoring the passage of the so-called McNary-Woodruff bill, providing for the preservation and extension of the national forests, which was referred to the Committee on Agriculture and Forestry.

He also presented papers and telegrams in the nature of petitions from the Women's Republican Club, of Hartford; the Theological Seminary, of Hartford; the Seminary Foundation, of Hartford; the World Court Committee, of Hartford; Connecticut League of Women Voters, of New Haven; the League of Women Voters and the Woman's Christian Temperance Union, of Meriden; the League of Women Voters, of Wallingford; the Chamber of Commerce, of Branford; the League of Women Voters, of West Hartford, and members of the Monday Club, of New Milford, all in the State of Connecticut, favoring the participation of the United States in the Permanent Court of International Justice, which were ordered to lie on the table.

He also presented resolutions adopted by the Father McKeown Branch, Ancient Order of Hibernians, of New Haven; Division No. 5, Ladies' Auxiliary, Ancient Order of Hibernians, of Waterbury, and Division No. 1, Ladies' Auxiliary, Ancient Order of Hibernians, of Naugatuck, all in the State of Connecticut, protesting against the participation of the United States in the Permanent Court of International Justice, which were ordered to lie on the table.

REPORT OF THE COMMERCE COMMITTEE

Mr. BINGHAM, from the Committee on Commerce, to which was referred the bill (S. 1305) granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, Ill., to construct, maintain, and operate a bridge across the Fox River, reported it without amendment and submitted a report (No. 94) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORBECK:

A bill (S. 2773) granting a pension to Teresa K. Shriner;

A bill (S. 2780) granting an increase of pension to Annie I. Summers (with accompanying papers);

A bill (S. 2781) granting an increase of pension to Augusta M. Post (with accompanying papers); and

A bill (S. 2782) granting an increase of pension to Jennie St. Clair (with accompanying papers); to the Committee on Pensions.

By Mr. RANDELL:

A bill (S. 2783) granting a pension to Susan E. Hart; to the Committee on Pensions.

A bill (S. 2784) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Black River at or near Jonesville, La.; and

A bill (S. 2785) granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Ouachita River at or near Harri-sonburg, La.; to the Committee on Commerce.

By Mr. CAPPER:

A bill (S. 2786) for the relief of Donald W. Stewart (with accompanying papers); to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 2787) granting a pension to Mary M. Carroll (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 2788) for the relief of Joseph Jameson (with accompanying papers); to the Committee on Claims.

A bill (S. 2789) granting an increase of pension to William Frederick Gross (with accompanying papers); and

A bill (S. 2790) granting a pension to Emma King (with accompanying papers); to the Committee on Pensions.

By Mr. McKINLEY (by request):

A bill (S. 2791) authorizing the appointment as second lieutenant in the United States Marine Corps of Wilson B. McCandless; to the Committee on Naval Affairs.

By Mr. ERNST:

A bill (S. 2792) relating to sales and contracts to sell in interstate and foreign commerce; to the Committee on the Judiciary.

A bill (S. 2793) granting a pension to Lucy Swoope (with accompanying papers);

A bill (S. 2794) granting a pension to Ellen Dixon (with accompanying papers); and

A bill (S. 2795) granting an increase of pension to Anna M. Outten (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 2796) to authorize the building of a bridge and approaches thereto across the Potomac River between Montgomery County, in the State of Maryland, and Fairfax County, in the State of Virginia; to the Committee on Commerce.

A bill (S. 2797) granting an increase of pension to Alfred Trefethen (with accompanying papers);

A bill (S. 2798) granting an increase of pension to Mary C. Newman (with accompanying papers);

A bill (S. 2799) granting an increase of pension to Thomas Humphrey (with accompanying papers);

A bill (S. 2800) granting an increase of pension to William A. Faulk (with accompanying papers);

A bill (S. 2801) granting an increase of pension to Rachel Christy (with accompanying papers); and

A bill (S. 2802) granting an increase of pension to Fanny E. Taylor (with accompanying papers); to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 2803) to create a commission with authority to hear and determine claims of individual members of the Sioux Tribe of Indians against tribal funds or against the United States; to the Committee on Indian Affairs.

By Mr. HARRELD:

A bill (S. 2804) granting an increase of pension to Arminda J. Madison (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 2805) enabling postal employees who are ex-service men to utilize leaves of absence in order to attend the meeting of the American Expeditionary Force in France; to the Committee on Post Offices and Post Roads.

HOUSE BILL REFERRED

The bill (H. R. 7554) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1927, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AMENDMENT TO TAX REDUCTION BILL

Mr. NORRIS submitted an amendment intended to be proposed by him to House bill 1, the tax-reduction bill, which was ordered to lie on the table and to be printed in the RECORD, as follows:

On page 113, line 1, strike out all after the word "records" down to and including the word "President" in line 5 on said page, and in

lieu thereof insert the following: "and shall be open to examination and inspection as other public records under the same rules and regulations as may govern the examination of public documents generally."

RECESS

Mr. CURTIS. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate, as in open executive session, took a recess until to-morrow, Wednesday, January 27, 1926, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 26 (legislative day of January 16), 1926

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY

John Dyneley Prince, of New Jersey, now envoy extraordinary and minister plenipotentiary of the United States to Denmark, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Kingdom of the Serbs, Croats, and Slovenes.

H. Percival Dodge, of Massachusetts, now envoy extraordinary and minister plenipotentiary of the United States to the Kingdom of the Serbs, Croats, and Slovenes, to be envoy extraordinary and minister plenipotentiary of the United States of America to Denmark.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 26 (legislative day of January 16), 1926

POSTMASTERS

COLORADO

Francis M. Wheeler, Campo.

CONNECTICUT

Harlan G. Hills, East Hampton.

Durward E. Granniss, New Preston.

Charles A. Jerome, Plainfield.

Edward Perkins, Suffield.

Robert O. Judson, Woodbury.

DELAWARE

Fred C. Powell, Harrington.

MARYLAND

Margaret T. Bowdoin, College Park.

Harry Bodein, Perry Point.

NEW HAMPSHIRE

Charles Myers, Jaffrey.

NEW MEXICO

Ralph Gutierrez, Bernalillo.

NORTH CAROLINA

Clyde H. Jarrett, Andrews.

Marvin E. Johnson, Candor.

John W. Shook, Clyde.

Iredell V. Lee, Four Oaks.

Mary W. Turner, Gatesville.

Heber R. Munford, Greenville.

Charles R. Hester, St. Pauls.

Pearle R. Luttrell, Shulls Mills.

Samuel B. Edwards, Tryon.

Otto S. Woody, Whitakers.

NORTH DAKOTA

Ruth C. Whiteaker, Alamo.

Ada E. Olson, Fingal.

Arthur B. McLaughlin, Hope.

Leif O. Fjeld, Mayville.

William E. Burhans, Sentinel Butte.

Milton T. Hefty, Walcott.

Thaddeus C. Michael, Willow City.

OKLAHOMA

Ray E. Sutton, Boynton.

Rosa B. Britton, Cyril.

Jesse W. Pinkston, Drumright.

Leo N. Hawkins, Hitchcock.

Herbert Harris, Oilton.

Frank J. Kohr, Poteau.

Alta G. Stockton, Sparks.

PENNSYLVANIA

Fred Ungard, Allenwood.

Franklin T. Dindinger, Monaca.

John M. Hayes, Montoursville.

Alden M. Schnell, Youngsville.

PORTO RICO

Franklin H. Bunker, Caguas.

Jose Carrera, Humacao.

Pedro Muniz Rivera, Manati.

SOUTH CAROLINA

John B. Bagnal, Ellenton.

Rosa B. Grainger, Lake View.

Edward W. Shull, New Brookland.

David S. Pitman, Nichols.

Pearlie H. Padget, Saluda.

William H. Lott, St. George.

UTAH

Ewell C. Bowen, Hiawatha.

HOUSE OF REPRESENTATIVES

TUESDAY, January 26, 1926

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our fathers' God, to Thee we raise our voice in humble prayer. We seek the blessing of forgiveness and the guidance of Thy wisdom. We believe that Thou art a refuge and an ever-present help in time of need. With one accord may we acknowledge Thee to be the Maker of heaven and earth, in whom we have our being. Lead us all to most seriously appreciate the high value that belongs to all honest action. May we assume all our obligations and fill the hours with steady, faithful endeavor. What dignity all life acquires if we relate it to God. Help us, O Lord, in every service; then all labor shall be sacramental and a noble pride shall be our birthright.

The Journal of the proceedings of yesterday was read and approved.

COOPERATIVE MARKETING ACT

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7893) to create a division of cooperative marketing in the Department of Agriculture; to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to provide for calling advisers to counsel with the Secretary of Agriculture on cooperative activities; to authorize cooperative associations to acquire, interpret, and disseminate crop and market information, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. BRAGG in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7893, which the Clerk will report.

The Clerk read the title of the bill.

Mr. JONES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 2, line 2, after the word "farms," strike out the remaining part of line 2 and insert in lieu thereof the following: "and also any products thereof processed or manufactured by farmers or cooperative organizations of farmers."

Mr. JONES. Mr. Chairman, my reason for offering this amendment is that section 5 of this bill, following in large measure the provisions of the exemption provided by the Capper-Volstead Act, with some very small changes, exempts people engaged in the distribution of agricultural products from the operations of the antitrust law. Since those exemptions are granted—and they are important—it becomes likewise important that no one should be granted the exemption except persons engaged in producing these products or cooperative organizations of those engaged in the distribution thereof.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. JONES. In just a moment.

In that connection the definition of what constitutes agricultural products becomes important, and, in my judgment, becomes all important, because on that definition hinges the application of other sections of the bill. This measure defines agricultural products. That definition is found in the first section. It not only defines agricultural products to be those things that are generally termed agricultural products, but it also says

"products raised or produced on the farms and processed or manufactured products thereof."

I am not quite sure that that would give those engaged in the distribution of those products, who are not producers, an exemption, but I am afraid it would, and I do not think we should take any chances on it.

I now yield to my colleague.

Mr. BLACK of Texas. It seems to me section 5 is as plain as language could be written on that subject. It says "persons engaged as original producers of agricultural products, such as farmers, planters, ranchmen, dairymen, nut or fruit growers." It seems to me that language is plain enough.

Mr. JONES. That would be true if the additional language named in section 1 were not to be construed in connection with what my colleague has read. Section 5 contains a reference to original producers, which is not in the Capper-Volstead Act, and these are given the privilege of "acting together in associations, corporate or otherwise." Section 1 gives the definition of what the term "agricultural products" includes, and it makes that term include processed or manufactured products. I think that within that definition in section 5 would be an organization, corporate, for instance, that had a few producers but had a lot of people who were not producers, or it might include producers of finished products who are not farmers at all. Persons so engaged would have this exemption, and a corporation might have the same privileges.

Mr. McDUFFIE. May I interrupt the gentleman just a moment?

Mr. JONES. I yield to the gentleman.

Mr. McDUFFIE. Does not the gentleman fear, as I do, that the use of the words "manufactured products thereof" would permit such organizations or corporations as cottonseed-oil organizations or even the canning industry throughout the country to be relieved of the burdens of the antitrust laws under the language of this proposed act?

Mr. JONES. I am afraid it would, for this reason: The exemption provided in section 5 is included in practically the exact words of the old exemption law. The old exemption law is tied up absolutely with the definition of what constitutes agricultural products.

In the first section of this bill, as my friend from Alabama suggests, the definition of agricultural products includes not only what we have generally considered as agricultural products, but also includes processed or manufactured products thereof transported or intended to be transported in interstate and foreign commerce. I am afraid even if section 5 were not in this bill, or if we were to eliminate section 5 from this bill, that definition of agricultural products being enacted into permanent law would tie itself by construction onto the exemption of the Capper-Volstead Act and be effective to exempt people engaged wholly in the distribution of products.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Will the gentleman from Texas yield to me?

Mr. JONES. I will be glad to yield to the gentleman.

Mr. McLAUGHLIN of Michigan. Referring now to the definition of agricultural products, is there anything in the bill to limit those products to American products? Suppose a number of companies should organize into an association and manufacture and process foreign goods or import a great lot of foreign goods to mingle with the products of the United States; would they have the same protection that is intended for American products or American producers?

Mr. JONES. I think anyone claiming the benefits of this bill would have to be operating in this country, and I do not think there is any immediate danger of that. That point has not been brought up.

Mr. McLAUGHLIN of Michigan. They would have to be operating in this country, but not on American goods. It seems to me that something should be put in this bill making a proper limitation of that kind.

Mr. JONES. I have not studied the bill with reference to that particular point. I will look into it further, and I would be pleased if the gentleman would also look into that phase of it.

Mr. KINCHELOE. Will the gentleman yield?

Mr. JONES. I yield to the gentleman.

Mr. KINCHELOE. The gentleman will remember that this was discussed with various witnesses at the hearings, and if

the gentleman's amendment should be adopted—and I think it should be—does not the gentleman think he ought to add further to his amendment the language "or any subsidiary corporation created by them"?

Mr. JONES. There would be no objection to that amendment to the one I suggest, and I would be glad to have the gentleman offer it. I think this amendment should be adopted for the reason that the limitation can not hurt anything.

I want to say that there has hardly been a bill presented to the Agriculture Committee which affected cooperative organization in any way that some one or some outside organization has not tried to secure some provision that would give them the exemptions that are granted the farmer organizations in connection with the distribution of their products. You remember that the sole purpose of the original law was to grant exemptions to cooperative organizations, so that they might get in unhindered fashion the benefits of cooperative marketing. It is recognized by everyone that they could not get, and could not be given, certain advantages that other business organizations of the country enjoy. The nature of their production and the character of the distribution makes it very difficult for them to apply certain business practices used so effectively by business organizations. I do not think the House ought to take any steps that will give the outside organizations—the organizations which compete with the farmer—the right of an exemption or to contend for an exemption. I believe if we adopt this bill many will be trying to get exemptions under the act. Many of the independent organizations that have long sought exemption from the antitrust laws will be given a chance to claim that exemption. Why not make the provisions so clear that they can not even claim these exemptions?

Mr. FORT. Mr. Chairman, I rise in opposition to the amendment. The question raised by the gentleman from Texas was seriously considered in the committee when it drafted the bill. The bill as originally presented to the House contained different language in section 5 from that which now appears in the bill reported to the House. The committee realized the possibility that the language used in the definition of section 1 might be so construed in connection with section 5 as to give exemption to business and corporate organizations.

Section 5 was referred to the legislative drafting service with which, as a member of the committee, I had the privilege of drafting the language in section 5, which is as clear as the able representatives of that service and of the Department of Agriculture and myself could make it. The gentleman from Texas has made two points—first, that the definition in this bill may be construed as applicable to other legislation. The language in this act in reference to this definition is "when used in this act," the term "agricultural products" means the things thereafter defined. It does not make it a definition for any other legal purpose except the construction of this piece of legislation.

Mr. JONES. Will the gentleman yield?

Mr. FORT. Yes.

Mr. JONES. I call the gentleman's attention to the last section of the bill, which says—

nothing contained in this act is intended nor shall be construed to modify or repeal any of the provisions in the act of February 18, 1922.

Mr. FORT. Yes; but the gentleman made one statement that ought to be corrected, that the Capper-Volstead Act does not relate to corporations. It does; it says "any association, corporate or otherwise," exactly as in this act.

The point of the gentleman is in error in this. It is the purpose of this act to permit the Department of Agriculture to cooperate, for example, for the organization of cooperatives of farmers for the organization of cooperatives of creamery men, and to permit the department to cooperate in the organization of associations of cottonseed-oil men. It is permitted, and it is intended, under the act that the Government shall cooperate with the marketing organizations of agricultural products, whether those market organizations handle the product in its initial or raw form, or whether, as is essential in many industries, they handle the products in a semicomplete or completed form. So far as the permissive features of the law go, so far as it relates to the dissemination of information, so far as it relates to the organization of associations, it goes to each product of the farm, whether it be in its original or initial shape, or in the shape in which it may be subsequently put for handling in the public market.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FORT. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman?

There was no objection.

Mr. McDUFFIE. Will the gentleman yield?

Mr. FORT. Yes.

Mr. McDUFFIE. Under the gentleman's statement as to products in the initial and subsequent form, why could not the packing industry avail themselves of this legislation?

Mr. FORT. No reason on earth.

Mr. McDUFFIE. Or the cottonseed oil men?

Mr. FORT. Is it not to the interest of the cotton industry that they should have the privilege?

Mr. McDUFFIE. It is not in the interest of the original producer of cottonseed.

Mr. FORT. I think it is. But if the gentleman will pardon me a moment, will he name any provision in the first four sections of this bill that he would not be willing to have applied to the packing houses or the cottonseed industry?

Mr. McDUFFIE. What about the fifth section?

Mr. FORT. That is where we come now.

Mr. McDUFFIE. The definition of the term "agricultural products" that the gentleman has called attention to is another provision that I would not have applied, and if there is any doubt about it why not remove it?

Mr. FORT. That term "agricultural products" for the purpose of this act might have been made to include the products of mines, but that would not affect the rest of the legislation. If the gentleman will read section 5 of this bill in the form that it is presented to the House, I think he will find that we have limited the powers of the cooperatives, in so far as this bill gives them powers, to cooperatives composed of original producers.

We have not limited the powers of the Department of Agriculture. It may deal with cooperative associations whether they be of the original producers or of the handlers of finished products. But when we come to the powers of the cooperatives themselves, the powers that they may exercise independently of the Department of Agriculture, we have there limited them to cooperatives of original producers. For the purpose of comparison, I want to read the language of the bill as it was originally drawn and introduced into this House. The language of section 5 as it came to the committee was as follows:

Persons engaged in the production of agricultural products, as farmers, planters, ranchmen, dairymen, nut or fruit growers, and other like agricultural activities.

The committee felt that that language related to the definition of agricultural products in the first section, and would extend the benefits of section 5 to the packers and the cottonseed-oil people and to other organizations.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. KINCHELOE. If you leave this language in here—

and processed or manufactured products thereof—

Then if you apply that to section 5, where it says—

as original producers of agricultural products—

What reason would there be why any product that is processed by the packers would not have rights under this law unless we adopt the Jones amendment?

Mr. FORT. We have limited the language "original producers" so that it is "original producers," "such as farmers."

Mr. KINCHELOE. The point I make is that they would be the original producer of the products as defined in section 1. I can see why the gentleman, coming from the district which he represents, might have a different attitude from those of us who represent agricultural districts.

Mr. FORT. I state to the gentleman, as I stated to him in the committee, that I am willing to stand on the floor of this House and advocate some modification of the Sherman law as applicable to other types of corporations, but that I am unwilling to see it done by a joker, and therefore, with the approval of the gentleman from Iowa [Mr. HAUGEN], I suggested to the Committee on Agriculture the amendment of this bill as originally drawn.

Mr. HOUSTON. Would not the following change in the second line on page 2 more clearly express the intention of the committee—

processed or manufactured by producers thereof—

Instead of—

processed or manufactured by producers thereof—

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FORT. The language in section 1 as a definition of agricultural products is the definition which was desired in the bill by the representatives of the cooperative associations who appeared before us. They desired it because, for example, the gentleman representing the cooperatives in the cranberry business said that they also to a large extent might handle jellies and things of that sort which they made from their cranberries; that that might become the major part of their entire business; but that they were still the original producers of the products. They want these provisions, so far as may be, to permit the organization of cooperatives, which shall include the elevator men in the farmer sections of the Northwest, the farmers' elevators, which shall include the cotton gins, perhaps, in the South, which handle some of the cotton products.

They want these associations for the purpose of getting market information applicable to the product from the time it starts in the ground until it is completed as a finished article. They want purchasing cooperatives, and they want the Department of Agriculture to help all those cooperative organizations and give them market information. In order to reach these various things it was essential that this definition of agricultural products should be as broad as we could make it; but when we came to section 5, which gives specific powers to these organizations, we worked for hours and hours on the language to make that as clear as it can be made, to limit that to the original producer.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. FORT. Yes.

Mr. KETCHAM. If I understand the gentleman correctly, he believes that if we strike out the words that are proposed to be stricken out by the amendment, that would limit the activities of the men who are enumerated specifically in section 5 to merely the production, and would not allow them to go into any proposition cooperatively of manufacturing the products of their toil.

Mr. FORT. I have not considered that from that angle, but I think that might be the effect. The point I do want to make is that what we are trying to do is to help the farmer market his products.

These are cooperative marketing associations. Now, some of that product is going to be marketed raw, some is going to be marketed semimanufactured, and some completely manufactured. If the farmer is to get the full benefit of his market you have got to allow him to organize all through the process of marketing. But when he comes to section 5, and wants to claim immunity from the Sherman law, then he has got to show that the association that claims immunity is an association of original producers, such as farmers, planters, dairymen, and so forth.

Mr. McDUFFIE. Will the gentleman yield for a question?

Mr. FORT. Yes.

Mr. McDUFFIE. Did the committee consider naval stores as a forest product?

Mr. FORT. It is not "edible products," although there are some people who chew gum.

Mr. McDUFFIE. What is the objection to including naval stores in this language after the word "forest," on page 2, declaring as to what agricultural products will constitute in the meaning of this act?

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORT. May I have one more minute in which to answer this question?

The CHAIRMAN. Is there objection? [After a pause] The Chair hears none.

Mr. FORT. I want to say to the gentleman that I see no objection to the suggestion that he has made, and that suggestion but emphasizes the undesirability of narrowing the definition now in the bill in any way. We have endeavored to reach every type of agricultural products of which we could think. If we have failed, we regret it; but we think the language should be left in the definition just as broad as it is now and that we should take no chances by adding the amendment of the gentleman from Texas and thus possibly narrowing the scope of the remedial and helpful legislation we are planning under this bill.

Mr. KINCHELOE. Mr. Chairman, I offer an amendment to the Jones amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. KINCHELOE moves to amend the amendment of Mr. JONES as follows: At the end of the Jones amendment insert the words "or any subsidiary corporation created by them."

Mr. KINCHELOE. Will the Clerk read the Jones amendment as amended if the amendment to the Jones amendment is adopted?

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

Page 2, line 2, after the word "farm," strike out the remaining part of line 2 and insert in lieu thereof the following: "and also any products thereof processed or manufactured by farmers or cooperative associations of farmers or any subsidiary corporation created by them."

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, I want to call attention to the significance of this amendment to you gentlemen who represent agricultural districts, and especially if you are going to vote for this bill for the benefit of the farmers and cooperative associations of farmers and not for packers and other business that may get into this—I want to say to you there is more significance in this amendment than you would think, and I am very much persuaded of this fact since the gentleman from New Jersey concluded. Now, as to the significance of this amendment. The first section undertakes to define what the agricultural products are. It goes on down here and then at the latter part this definition of agricultural products "and processed or manufactured products thereof."

Now, if you leave that in there then you say that any agricultural article that has been processed or manufactured by packers is an agricultural product under this definition. Now, then, when you get to section 5 it says:

Persons engaged as original producers of agricultural products, such as farmers, planters, ranchmen, dairymen, nut or fruit growers, acting together in associations, corporate or otherwise.

In other words, if we leave this in we say a product processed by packers is of the original product under section 5, because it says, "persons engaged as original producers whether they are corporate or otherwise," and if this Jones amendment is not adopted these people could process or manufacture the products of the farmer, and therefore I think what the gentleman from New Jersey wants done is to let other people in here besides the farmer and cooperative-marketing associations.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. McLAUGHLIN of Michigan. Section 5, in the second line, indicates what significance they would attach to the words, "such as farmers, planters, ranchmen, dairymen, nut or fruit growers." It does not say anything about packers there.

Mr. KINCHELOE. You have not read all of it. The words following are, "acting together in associations, corporate or otherwise." It means, if this language stays in here, under the first section they are considered to be processed or manufactured products. It means that the packers who are manufacturing or processing products are original producers of agricultural products and will come under this proposition here, because it says "corporate or otherwise."

Mr. McLAUGHLIN of Michigan. I would agree entirely with the gentleman that it would relate to organizations, corporate or otherwise, and to packers' associations, or shoe manufacturers, or clothing manufacturers, if it were not for the words in section 2. I am not captious about this. I want it to be right. I am interested in it. I am heartily in favor of the bill. But let me direct the attention of the gentleman to these words on line 22 of page 4, "such as farmers, planters, ranchmen, dairymen, nut or fruit growers." Are those words really a limitation upon it? Are these the only ones that section 5 speaks of?

Mr. KINCHELOE. It says, "acting together in associations, corporate or otherwise."

Mr. McLAUGHLIN of Michigan. I know these farmers could cooperate. The farmers could organize a corporation, and the ranchmen could organize a corporation. But is that a definition of what original producers are, and are only those to be considered original producers—farmers, ranchmen, dairymen, and so forth?

Mr. KINCHELOE. I think that this includes manufactures thereof. If you want to help the farmers and cooperative organizations only, put in the Jones amendment, and then there will not be any doubt about it.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. NEWTON of Minnesota. Section 5, line 21, speaks of original producers. Does the gentleman contend that meat packers would come under that term?

Mr. KINCHELOE. I think so. If the gentleman will turn back to section 1, containing the definition of agricultural products, he will see that it says:

When used in this act, the term "agricultural products" means agricultural, horticultural, viticultural, and dairy products, livestock and the products thereof, the products of poultry and bee raising, the edible products of forestry, and any and all products raised or produced on farms and processed or manufactured products thereof.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield for a question?

Mr. KINCHELOE. Then products that are processed or manufactured by the packer are those of original producers?

Mr. HUDSPETH. Does the gentleman know that packers own ranches all over the country, and also farms?

Mr. KINCHELOE. I think they would.

Gentlemen, if you want to keep out associations other than those of farmers, adopt the Jones amendment. Then I know the others will not come in.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. EDWARDS. Why limit this to "edible products of forestry"? There are naval stores and so forth, you know, manufactured from the forests, and in our section the farmers own the land and pine trees.

Mr. KINCHELOE. I am not on the majority of the committee on this bill. It represents the wishes of those in the majority and the administration in power. Why they did not insert them I do not know. I happened not to be in their confidence. I hope you will adopt the Jones amendment. My amendment to the Jones amendment was offered, because I do not want to limit farmers or cooperative market associations in their activities. Therefore, I add to that the words "any subsidiary corporation organized by them." I want to give the farmers' organizations all the power they want, and by adopting my amendment to the Jones amendment and adopting the Jones amendment as amended there will be no doubt but that this is simply a farmers' bill, and no other.

Mr. WINGO rose.

The CHAIRMAN. The gentleman from Arkansas is recognized.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be closed in 15 minutes.

Mr. McDUFFIE. I want a few minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes. Is there objection?

Mr. McDUFFIE. Mr. Chairman, I move to amend by making it 20 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on this section and all amendments thereto be limited to 15 minutes. Is there objection?

Mr. McDUFFIE. Reserving the right to object, Mr. Chairman, I want to submit to the gentleman the extension of that time to 20 minutes, because this is a very important section to this bill. Many gentlemen want to ask questions about it. We ought at least to have 5 minutes more. Make it 20 minutes.

Mr. KINCHELOE. I think the chairman of the committee should be liberal. I think this is the only contest there will be.

Mr. HAUGEN. I modify my request, Mr. Chairman, and make it 20 minutes.

The CHAIRMAN. The gentleman from Iowa modifies his request, and asks unanimous consent that debate on this section and all amendments thereto be limited to 20 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Arkansas is recognized for five minutes.

Mr. McDUFFIE. Mr. Chairman, pending that, if the gentleman will withhold—

Mr. WINGO. If it will not be taken out of my time—

Mr. McDUFFIE. I offer an amendment for information.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama for information only. The Clerk read as follows:

Amendment offered by Mr. McDUFFIE: Page 1, line 6, after the word "edible," insert the words "and naval stores."

The CHAIRMAN. The gentleman from Arkansas [Mr. WINGO] is recognized.

Mr. WINGO. Mr. Chairman, I hope the committee and the lawyers of the House will give me their attention for a moment. Evidently the gentleman from New Jersey [Mr. FORT], who made a very fine statement, misunderstands the Jones amendment, in view of the answers he made to the inquiries of my friend, the gentleman from Michigan [Mr. McLAUGHLIN]. We are discussing section 1. That gives the definition of the term "agricultural products." Over in section 5 is the construction of the antitrust law. What have you to consider? You must consider the general antitrust law, and you have to consider the provision of the annual appropriation bill for the Department of Justice to the effect that the Attorney General must not begin suits against farmers for their cooperative work. You can dismiss the packers from this consideration.

I am not sure, but I have a recollection that either the Supreme Court or some lower court has already interpreted the packers' act as taking the packers out from under the antitrust laws unless they violate an order to desist issued by the Secretary of Agriculture. So I say you can dismiss the packers from this discussion, because they are governed by a special law.

The only reason why you have got to amend section 5 of this bill is because the Capper-Volstead Act does for these cooperative organizations and for the farmers what the packers' act did for the packers. It puts them under the control of the Department of Agriculture and permits them to do things that might technically be a violation of the antitrust laws, but they must do those things under the regulatory control and restraint of the Secretary of Agriculture. I think all of us can agree on that.

In this act, for the reasons which the gentleman from New Jersey [Mr. FORT] very clearly stated, it was deemed advisable to broaden the definition of agricultural products. As stated by the gentleman from New Jersey, the cranberry growers, as a group or as a cooperative association, might determine—and I can understand that, representing, as I do, a peach-growing district—to turn their product into a manufactured product in order to save it, and that they would market their manufactured product as the original producer. That was why it was necessary to enlarge the definition of agricultural products, and the gentleman from Texas [Mr. JONES], by his amendment, proposes to change that enlarging language, which is found in line 2, page 2, by striking out what is now there and putting in this liberalization:

And also any products thereof processed or manufactured by farmers or cooperative organizations of farmers.

I think you had better take that definition, and I will tell you why. Over in section 5 you have done a very difficult task in the best way you can. I worked on it last night and tried to arrive at language which I thought would be better, but I could not arrive at any language without restricting it in such a way as to defeat the object we have in mind. All of us want to permit these cooperative organizations to manufacture their raw materials if they want to and market them in the manufactured state without danger of antitrust prosecution. The amendment proposed by the gentleman from Texas [Mr. JONES] permits them to do that provided the processing and the manufacturing are done either by the farmers themselves or cooperative organizations of farmers.

Let me suggest to my friend from New Jersey that he had better take that without any quarrel with his view, and I can appreciate his view. Whenever he raises the question of the cottonseed oil mills let me say that he may put this bill through here, but he can not put it through the Senate in that way, because the Senators from those States, who know the investigations now going on with reference to the alleged cottonseed oil trust, will be afraid you are doing something I know you are not doing. I know you are honestly trying to broaden the law, but if you let the bars down so that the cottonseed oil crushers can come in you will find opposition to your bill in the Senate, because the cottonseed oil crushers can contend they are farmers just like the rest.

I think the language contained in the amendment offered by the gentleman from Texas is effective. I think it will achieve the purpose intended, and I think it will be safer if the committee will accept that particular amendment. I am against the amendment offered by the gentleman from Kentucky [Mr. KINCHELOE], but I think the amendment offered by the gentleman from Texas is a good one.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. McDUFFIE. Mr. Chairman and gentlemen, it is not my purpose to delay the committee in the least in trying to do

something for the American farmer. As a matter of fact, it is my opinion that this is the best practical way to help the farmers of this country, if we can help them by legislative enactment. I have always felt, gentlemen, that the best way to aid the farmers of this country was to do so by a system that will best inform them as to the best method of the distribution and marketing of their products. What they need, as a rule, is a market. I have never thought we were going to meet the situation by trying to pass legislation which runs counter to the natural laws of supply and demand and those economics fixed by nature. This measure, in my judgment, has a splendid purpose. Cooperative marketing is one need of to-day and will indeed be helpful to the farmers of this country. What the results of this bill will be it is difficult to estimate, and I am not enthusiastic over its provisions, but as we are trying to help one class of farmers, let us help them all.

I have offered this amendment, which simply adds the words "and naval stores" at the bottom of page 1, line 6.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. McDUFFIE. Yes.

Mr. WHITTINGTON. Are there any cooperative organizations or associations that are engaged in handling naval stores?

Mr. McDUFFIE. I do not know; but we might have some engaged in handling them, and that is what I want. I want our original producers, especially the small ones, to cooperate and engage in the business. I want the farmers who raise the products of the pine tree in your territory and mine to have, if possible, the benefit of this legislation; and my amendment seeks to have it affect their products as well as all other farm products.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. McDUFFIE. Yes; for a brief question.

Mr. LAGUARDIA. What would the term "naval stores" include?

Mr. McDUFFIE. The term "naval stores" would include the products of the pine tree, especially the long-leaf yellow pine. The pine tree is chipped or tapped and the sap or crude resin runs at certain seasons of the year. This is distilled into turpentine, resin, and the finished products. Thousands of farmers along the Gulf coast and the South Atlantic seaboard and the great coastal plain where the long-leaf yellow pine grows have pine trees on their little farms. Many of them have their small distilleries. I mean, of course, turpentine stills, by which they distill the crude resin into the finished products of turpentine and resin.

What I want is simply to do justice by that class of farmers and let them have the benefit of this cooperative marketing.

Mr. COLE. Will the gentleman yield?

Mr. McDUFFIE. Yes.

Mr. COLE. Does not the gentleman think the proposition ought to be stated more clearly? Is the word "naval" definite enough?

Mr. McDUFFIE. I think so. The administration of all laws affecting that class of farmers now comes under the Department of Agriculture, through the Bureau of Forestry, and they understand what the term "naval stores" means. The term "naval stores" has been defined to mean the products of the pine tree. For the purposes of this act, the term is already definitely understood and well defined.

I hope you gentlemen will do justice by this class of farmers, and there are many of them throughout the entire section of the country from which I come, who should have the same protection that this legislation may give to farmers of the country generally. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I agree with the gentleman from Kentucky [Mr. KINCHELOE] that this is a very, very broad definition of agricultural products. I do not see how it could very well be made any broader. I agree with the gentleman that the products coming from the packers are their original products. They are the original producers of those products. I think the packers would be included. I think the canners would be included; also shoe manufacturers and manufacturers of wool and cotton clothing. There is nothing, we might say, that is not included in this definition; but we may look further into the bill and see what can be done with these original productions. We come then to section 5 and we find a limitation upon the organization of these cooperative associations, limiting it to certain producers. Who are they? Let me read the part of the section to which I refer:

SEC. 5. Persons engaged as original producers of agricultural products, such as farmers, planters, ranchmen, dairymen, nut or fruit growers, acting together in associations—

And so on.

This bill, in the assistance it would give, the encouragement it would give, and the protection it would give, is limited to the

original producers who are farmers, planters, ranchmen, dairymen, or nut or fruit growers. Men engaged in those productions can organize a company. They could organize a packing plant. They could operate a series of tanneries or manufacturing of clothing or anything of that kind; but the organizations which are to receive the benefit and protection of this act must be composed of these original producers who are described in section 5.

Mr. BURTNESS. Will the gentleman yield for a suggestion?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. BURTNESS. In other words, the phrase "such as farmers, planters, ranchmen, dairymen, nut or fruit growers" is actually a limitation as used in this act, and strictly limits the general designation of agricultural products.

Mr. McLAUGHLIN of Michigan. I think so.

Mr. BURTNESS. I agree with the gentleman. I think the gentleman is absolutely right.

Mr. McLAUGHLIN of Michigan. I have suggested to the chairman of the committee that the meaning which I would give to this section would be strengthened and all doubt would be removed as to the meaning of it if the words "such as" were stricken out. Then it would read "persons engaged as original producers of agricultural products, farmers, planters, ranchmen, dairymen, nut or fruit growers." Then it would leave no court or anyone else to speculate as to the meaning or effect of the words "such as."

Mr. BURTNESS. Will the gentleman yield further there?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. BURTNESS. I fear that suggestion might be dangerous, because then it might be claimed that all of these classes would come in, including the producers of agricultural products as defined in section 1.

Mr. McLAUGHLIN of Michigan. The gentleman may be right.

Mr. BURTNESS. But possibly the elimination of the word "such" would be better.

Mr. McLAUGHLIN of Michigan. I wish the language perfect if it can be made so.

Mr. BURTNESS. Why not eliminate the word "such" and then it would read, "persons engaged, as original producers of agricultural products, as farmers, planters, ranchmen, dairymen, nut or fruit growers, acting together in association." This would eliminate the word "such" which rather carries the implication with it that it might include some classes that are similar to those specifically designated.

Mr. McLAUGHLIN of Michigan. What words would the gentleman put in or eliminate?

Mr. BURTNESS. I would suggest the elimination simply of the word "such" and then you would have the qualification applied to the specific ones mentioned.

Mr. McLAUGHLIN of Michigan. I have offered no amendment. I have simply spoken to the amendments offered by the gentleman from Kentucky [Mr. KINCHELOE] and the gentleman from Texas [Mr. JONES].

Mr. EDWARDS. Mr. Chairman, there are five minutes remaining of the time fixed on this section, and I would like to speak in favor of the amendment offered by the gentleman from Alabama [Mr. McDUFFIE] to include "naval stores" in this bill.

Mr. LAZARO. Mr. Chairman, reserving the right to object—

The CHAIRMAN. The gentleman from Louisiana has not the right to object.

Mr. LAZARO. I have no objection, but I would like to have three minutes myself.

Mr. EDWARDS. I will divide the time with the gentleman if I am recognized.

The CHAIRMAN. Then I will recognize the gentleman from Georgia for two minutes.

Mr. EDWARDS. Mr. Chairman and members of the committee, I hope there will be no misunderstanding as to what is meant by the term "naval stores" in the amendment offered by the gentleman from Alabama [Mr. McDUFFIE].

This amendment is indeed important to the section I represent and to the section which the gentleman from Alabama represents. I hope there will be no misunderstanding about the term "naval stores." The amendment contemplates giving the owners of pine trees from which these "naval stores" are produced the same benefits under this bill as enjoyed by those who have maple trees for the production of maple sirup in their districts.

The pine trees are tapped or chipped and the gum is extracted and then manufactured, through a process of distillation, into spirits of turpentine and rosin, and that is defined, classified, and known as "naval stores."

I am heartily in favor of the amendment offered by the gentleman from Alabama, as I am convinced it will mean much to the South.

Mr. TILSON. Will the gentleman yield?

Mr. EDWARDS. I yield to the gentleman from Connecticut.

Mr. TILSON. I would like to ask the gentleman for information whether this manufacturing is generally done by small farmers or are these naval stores gathered or manufactured by large companies or corporations?

Mr. EDWARDS. The trees are owned by the farmers, and in many instances they are tapped and worked by the farmers and the gum sold to the distillers.

Mr. LAZARO. Mr. Chairman, I want to read two paragraphs from a letter I have received from the turpentine and rosin people:

The production of turpentine and rosin is chiefly an agricultural pursuit, consisting of the wounding of the tree, collecting the gum, and separating the gum into its two parts, turpentine and rosin—nothing being added or taken from either product. In fact, the method of production is identical with the production of the maple sirup and maple sugar from the northern maple tree.

According to statistics reported in the Department of Agriculture Year Book there are approximately 1,400 producers of turpentine and rosin, of which number the department believes that about 1,200 might be classed as small producers, who only operate a small turpentine orchard, handling their product somewhat similar to that of other agricultural crops, with the result that oftentimes during the producing season they are forced to market their product, resulting in a demoralized market.

All these men are asking for is the benefits of the cooperative market.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. LAZARO. Yes.

Mr. SUMMERS of Washington. Out of the 1,200 farmers what percentage of them produce these naval stores and what percentage is produced by the big companies?

Mr. LAZARO. I am not in a position to answer that question.

Mr. SUMMERS of Washington. I understand there are big operators scattered throughout the States who lease or own thousands of acres of pine and operate them in the manufacture of naval stores, just as big manufacturing concerns do in other products. They do not come in the same class with the original farmer.

Mr. KINDRED. Will the gentleman yield?

Mr. LAZARO. I will yield to the gentleman from New York.

Mr. KINDRED. The gentleman refers to the distillers. I wonder if they are concerned in any violation of the Volstead law?

Mr. LAZARO. We are interested in turpentine and rosin just now.

Mr. HAUGEN. Mr. Chairman, I want to say with reference to the McDuffie amendment that I can see no objection to it. It simply broadens and defines the definition of agricultural products.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. KINCHELOE] to the amendment offered by the gentleman from Texas [Mr. JONES].

Mr. SUMMERS of Washington. May we have the amendments again reported?

Mr. KINCHELOE. Mr. Chairman, I ask unanimous consent that the Jones amendment may be read as if amended by my amendment.

Mr. DOWELL. It occurs to me, Mr. Chairman, that we should first have both amendments read as they were offered.

Mr. TILSON. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TILSON. I ask that the Chair make a clear statement to the committee that the McDuffie amendment is not now pending before the committee.

The CHAIRMAN. The McDuffie amendment is not pending. Mr. TILSON. It is not pending now and will not be until the other amendments are disposed of.

Mr. KINCHELOE. It has nothing to do with the pending amendments.

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from Texas and also the amendment to the amendment by the gentleman from Kentucky [Mr. KINCHELOE]. The Chair hears no objection.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 2, line 2, after the word "farm," strike out the remaining part of line 2 and insert in lieu thereof the following: "and also any products thereof processed or manufactured by farmers or cooperative organizations of farmers."

Amendment offered by Mr. KINCHELOE to the amendment of Mr. JONES: At the end of the Jones amendment insert "or any subsidiary corporation created by them."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky to the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. Mr. KINCHELOE) there were 61 ayes and 84 noes.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES) there were 64 ayes and 104 noes.

So the amendment was rejected.

Mr. McDUFFIE. I offer my amendment, which is at the desk.

The Clerk read as follows:

Page 1, line 6—

Mr. ASWELL rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. ASWELL. I rise to ask whether or not the chairman did not agree to this amendment?

The CHAIRMAN. That is not pertinent at this time.

The Clerk read as follows:

Page 1, line 6, after the word "edible," insert "and naval stores."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was agreed to.

MESSAGE FROM THE SENATE

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Craven, one of the clerks, announced that the Senate had passed without amendment the bill of the following title:

H. R. 6089. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge and approaches thereto across the Fox River in the county of McHenry, State of Illinois, in section 26, township 45 north, range 8 east of the third principal meridian.

COOPERATIVE MARKETING ACT

The committee resumed its session.

The Clerk read as follows:

SEC. 2. The Secretary of Agriculture is hereby authorized and directed to establish a division of cooperative marketing with suitable personnel in the Bureau of Agricultural Economics of the Department of Agriculture or in such bureau in the Department of Agriculture as may hereafter be concerned with the marketing and distribution of farm products. Such division shall be under the direction and supervision of the Secretary of Agriculture.

Mr. ADKINS. Mr. Chairman, this word "cooperation" has come into our economic and political life in the last 25 years. In 1901 the grain farmers of the country found the grain business at the local stations in the grip of an organization that was setting prices at the local stations at its own will. The farmers decided that they would have to have some way to counteract that. We did not come to Congress or to the State legislatures; we did not know anything about cooperation, but we did get together around these local stations, organized companies, bought an elevator, and proceeded to market our own grain. The best authority I have states that 56 per cent of the grain arriving at Chicago, the largest market in the world, comes from these associations.

Cooperation is a matter that we can not force on people. Animal life is selfish and individualistic in most cases. Take even a pig, and you can not make him cooperate with his fellow; as long as he is happy and his stomach is full he is contented. He will eat his supper and go off and find a comfortable place and lie down by himself. If another pig comes along and wants to cooperate with him and make him share his comfort, he will bite his ear and drive him away. That is true of the higher order of animals. As long as the farmer is prosperous, or as long as any other class is prosperous, he is individualistic, he does not want to cooperate, but when he gets in hard "straits" then he wants to cooperate with his neighbor—not for the purpose of helping his neighbor but for the purpose of helping himself. The pig does not crawl in with another pig in a warm place on a zero night to make the other pig warm, but he goes in there to get warm himself. The matter of helping his neighbor is an incident and that is the way we are in the higher order of animals.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ADKINS. In a minute. This matter of cooperation is one of necessity. Necessity was the thing that drove Denmark into cooperation. During the development of cooperation as applied to the farmer, what has happened? The politicians, after we had made a success in these various enterprises, saw in the word "cooperation" a fine thing, and when the "chilly night" came to the farmer, as it is with him now, they saw a fine proposition to shed crocodile tears over his fate and talk cooperation to him. Another reason for this bill, if it has any excuse for being here, is because the promoter, in times when the farmers were hard pressed, came around and sang the song of cooperation in his ear for the purpose of relieving him of his cash; and what has happened? Within the last 25 years the promoter has taken out of the farmer's pocket, by going around and abusing the packer and bully-ragging him, from \$30,000,000 to \$50,000,000 promoting cooperative packing plants, and most of that money went into the pockets of the promoter. Those plants are standing idle around the country to-day, mute monuments to the folly of farmers putting their money into such enterprises, all because we had no source of information, and the only source we had was the promoter. What happened next? Along came another bunch of promoters under the guise of cooperation and sang the song to the farmer, and abused the International Harvester Co. By that process he took seven and a half million dollars of the farmer's money away from him under the guise of cooperation to manufacture all of his harvesting tools, and it all went up in blue smoke. I made a speech not long ago at Plano, Ill., where this factory stands empty, and the birds are building their nests on the rafters, all because the only source of information upon cooperation that was to be had was to be had from the promoter, who was singing the siren song to the farmer and taking his money.

What next? A man well versed in local cooperation on the Pacific coast came over into the Mississippi Valley and said to these fellows, "You ought to market your grain as we market prunes and raisins," and the farmers spent three-quarters of a million dollars on that scheme, all because of the fact that we had no official information on the subject of cooperation, and we had to take the word of the fellow who was promoting the scheme, and he got the money from the farmers' pockets and the institution failed.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ADKINS. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, I reserve the right to object, in order to ask the gentleman a question. The gentleman is a farmer himself?

Mr. ADKINS. Yes.

Mr. BLANTON. Does he place the farmer on the same plane with the hog?

Mr. MADDEN. O Mr. Chairman, the gentleman's time has not been extended yet, and there is nothing before the committee.

Mr. MURPHY. Mr. Chairman, the gentleman from Texas can not force himself into the gentleman's speech in that way.

Mr. BLANTON. I do not see why the gentleman should place the farmer on the same plane with the pig.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois.

There was no objection.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ADKINS. Yes.

Mr. BLANTON. The gentleman is a farmer himself. Does he place the farmer on the same plane with the pig?

Mr. ADKINS. Oh, I do not think the gentleman's mind is so dense that he could not see the point of the illustration. [Laughter and applause.] It was that the individualistic character belonging to animal life is developed as high in the higher orders of animal life as in the lower order, and I am satisfied that the gentleman knows that illustration was made to show that that individualistic qualification in the matter of standing out alone is to be found in all animal life, and that we only cooperate and ask the help of our neighbors when we get in dire "straits" ourselves.

Mr. BLANTON. Well, human beings cooperate when animals do not.

Mr. ADKINS. But for the same reason when their necessity drives them to it. Now, gentlemen, I was going to illustrate further the necessity of this bill. When they were telling us we needed to take our grain movement a little further and go into terminal markets, one market in my State in 1924 had a weighing department which weighed in nearly 500,000,000

bushels of grain arriving there. The stockyards took in nearly 19,000,000 head of stock, for which cash was paid, an institution which was 60 years in developing, and we were proposing to tackle that proposition and we wanted some information. We were told there was 30 cents a bushel difference between the farm in my State and Boston, Mass. I should have been glad to have gotten that information from the department, but I had to go out on my own "hook" and go to Rochelle, Ill., and Waterloo, Iowa, on April 13, 1923, to find the average price paid for grain, and I found the farmer near Rochelle, Ill., got 73 cents a bushel for his corn, and the farmer near Waterloo, Iowa, 67 cents. This corn sold in Boston for a fraction over a dollar per bushel, and the question was, Who got the difference in money? We examined into it and we found that the grain that left the farmer near Rochelle went into the Chicago market, the commission men handled it, the shipper bought it and sold to the Boston broker when it got to Boston; there was a difference of about 27 cents a bushel between the amount paid the Rochelle farmer and the market in Boston. About 23½ cents that went for transportation, less than 4 cents a bushel was absorbed by the local elevator man, by the commission merchant, and by the Boston broker. Now, I should have been glad to have had that information from the department, but when I made that statement in a speech there was such a demand for copies of that statement that at my own expense I got out this little pamphlet [illustrating]:

**MARKETING GRAIN—COST OF SERVICE FROM PRODUCER TO CONSUMER—
WHAT IS IT?—CAN IT BE REDUCED?**

The various marketing agencies used between the farmer and the consumer to market grain are agencies of service. The natural question to arise both by producer and consumer, Are these agencies charging too much for the service rendered?

More than 20 years ago the farmers decided that one of these agencies was not only charging too much for the service rendered at the local station, but was eliminating competition at those points and placing powerful interests in control to dictate the prices at the local station.

The farmer entered the field with the farmers' elevator, and I think all will agree that through this farmer elevator competition we now have that service rendered at the local station as cheap as it is possible to render it and succeed in business.

What about the cost of service at our terminal markets? Can we enter the terminals and render that service to the farmer at a profit? Is the margin for rendering this service so large that a natural saving can be made to the farmer by financing such an agency and hiring men to run it in competition with shrewd business men now in the business?

Our exchanges limit the price charged for this service. There is no limit on the price the country shipper could charge before the farmers' elevator developed. The country dealer could charge all the traffic would bear, and in many localities where competition was eliminated the "traffic" stood for a rather heavy toll from the farmer.

Before the farmer enters the terminal market the cost of that service should be looked into carefully and see if the commission charged for this service is large enough to justify him in financing such an enterprise.

I recently inquired into the cost of marketing individual shipments of corn and oats from points in Illinois and Iowa through the Chicago market to the consumer at Boston, including price paid the farmer and the various service charges between the farmer and consumer.

The following figures are based on the average selling price of several Chicago shippers to Boston rate point and on the price being bid to farmers in the territory surrounding Rochelle, Ill., on the afternoon of April 13, 1923. Where Rochelle is mentioned, it means the territory around Rochelle, Ill., having a 10 cents per hundred rate into Chicago:

Cents per bushel	
Average selling price 3 yellow corn, Boston rate	100.15
Bids to farmer at Rochelle	73.00
Difference between price paid farmers and price delivered, Boston rate	27.15
Freight, Rochelle to Chicago, 10 cents	5.60
Freight, Chicago to Boston, 32 cents	17.92
	23.52
Total margin of profit between Rochelle farmers and Boston jobber	3.63
Rochelle dealer profit	1.52
Chicago commission	1.00
Chicago shipper's profit	.86
Boston broker's profit	.25
	3.63
Average selling price 36 pounds clipped white oats Boston rate	58.125
Price to farmers at Rochelle, 3 white oats	40.25
Difference between price paid farmers and price delivered, Boston rate	17.875

Cents per bushel	
Freight, Rochelle to Chicago	3.20
Freight, Chicago to Boston	10.24
	13.44
Total margin of profit between Rochelle farmers and Boston jobber	4.435
Shrinkage account clipping	1.00
Rochelle dealer's profit	1.55
Chicago commission	.75
Chicago shipper's profit	.97
Boston broker's profit	.16
	4.435

Out of the total margin of profit of 3.63 cents on corn and 4.43 cents on oats, as shown above, must come all expense of operation of country dealer's elevator, Chicago shipper's elevator, and in addition thereto all telegrams, telephones, exchange, interest, insurance, etc. Also all weighing, inspection charges, and sampling fees, and also the entire expense of salaries and supplies for the different offices maintained to handle this business.

On the same date corn and oats were bought at a station in Iowa having a 17½-cent railroad rate to Chicago. Where Waterloo is referred to it means that territory in Iowa having a 17½-cent rate into Chicago. This corn and oats went to Boston rate point:

Cents per bushel	
Average selling price 3 yellow corn, Boston rate	100.15
Bids to farmers at Waterloo, Iowa	67.00
Difference between price paid farmers and price delivered, Boston rate	33.15
Freight, Waterloo to Chicago, 17½ cents	9.80
Freight, Chicago to Boston, 32 cents	17.92
	27.72
Total margin of profit between Waterloo farmers and Boston jobber	5.43
Waterloo dealer's profit	3.32
Chicago commission	1.00
Chicago shipper's profit	.86
Boston broker's profit	.25
	5.43
Average selling price 36 pounds clipped white oats, Boston rate	58.12
Price to farmers at Waterloo, 3 white oats	38.50
Difference between price paid farmers and price delivered, Boston rate	19.62
Freight, Waterloo to Chicago	5.60
Freight, Chicago to Boston	10.24
	15.84
Total margin of profit between Waterloo farmers and Boston jobber	3.78
Shrinkage account clipping	1.00
Waterloo dealer's profit	.90
Chicago commission	.75
Chicago shipper	.96
Boston broker	.16
	3.78

It would seem to me from the foregoing figures that the margin charged for these various services is so small it would be a very hazardous business for the farmers to finance and enter into competition with existing agencies with hired men. The big cost of distribution is transportation, which he can not change by simply going into the terminal business. The commission charge is fixed and the necessary service rendered for the fixed price. The margin charged by the country elevator and terminal shipper is regulated by the kind of competition at the point where located and would vary somewhat from the above figures at different points.

You notice the country elevator at Illinois point bought on a closer margin than the man at this particular Iowa point. The Iowa farmer got 6 cents per bushel less for his corn than the farmer in Illinois. There was 4.2 cents per bushel more freight paid out of his corn than the Illinois farmer's. Barring the freight charge, the whole cost of distribution between the farmer and the consumer is less than what it is said to be the cost of service at local station when the farmers' elevators commenced business over 20 years ago. When the farmer entered the field as a grain merchant at the local station he did it to reduce the charge then made for local service and to do away with the influence of the "line elevator," which eliminated competition and fixed the price locally, both of which he has accomplished. This he has accomplished on his own initiative. His immediate successful grain-marketing activities will probably be rebuilding his local grain business and bring it out of the "slump" which all business activities have passed through since the war.

Now that is what this bill means. I think you lawyers—and I have a high regard for lawyers—when I tell you what we want, can frame it up. I think all this talk does not mean much, because this does not authorize the making of a single cooperative institution, but it does furnish this information when the local community sees the need; but you must, after all, start cooperating at the local community with a coopera-

tive institution furnishing the necessary information. [Applause.]

Mr. CHALMERS. Will the gentleman yield?

Mr. ADKINS. Yes.

Mr. CHALMERS. If the gentleman will be in the House day after to-morrow afternoon, I will show him how to cut out a large part of that 23½ cents.

Mr. MANLOVE. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LaGUARDIA rose.

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. LaGUARDIA. In opposition to the pro forma amendment, and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. LaGUARDIA. Mr. Chairman and gentleman, now that the House is engaged in its favorite indoor sport of fooling the farmer, I want to take the opportunity to say just a few words for the consumers. I listened with a great deal of interest yesterday to the remarks made by the sponsors of this bill and the statement just made by the gentleman from Illinois [Mr. ADKINS]. I am sure every Member who knows anything about cooperatives and the history of cooperative marketing must know that where cooperatives have been a success they have been of spontaneous creation.

There must be mutual confidence and a desire to join forces in marketing, storing, manufacturing, buying, or for whatever purpose the cooperative is formed. The mere fact that there is a bureau in the Department of Agriculture, such as we are creating in this bill, will not in itself bring about cooperatives or farmers' associations. In the countries where farmers' cooperatives have been successful and are functioning successfully to-day, it will be found that the cooperatives came first and legislation followed. In other words, conditions in these countries were such that the farmers learned that unless they pooled their interests their exploitation would continue. Necessity, self-protection brought about the first farmers' cooperatives in Europe. The cooperatives of Denmark, which, no doubt, are functioning with as high a degree of efficiency and satisfaction as the cooperatives of any other country, are the living example that they are the result of, first, the necessary and then the mutual confidence of the farmers, banding themselves together in a cooperative society. Unless such conditions exist in this country to-day, unless the American farmer is prepared and really wants to pool his interest with his neighbors, this bill will not add a single cooperative, will not bring about cooperative marketing, and will do absolutely no good. The best that I have heard stated for this bill is that it will do no harm. Surely we ought to be able to do something more positive than that.

I do not believe that all the American farmer needs is information. I believe that he is getting information, and because he is informed he complains because he is not getting his fair share of his labor; he is not getting his fair share of what his own products are selling for in his own and foreign markets. The trouble is that the friends of the farmers, while willing to help the farmer, will not look at conditions squarely and admit that our whole system of distribution is wrong. Our whole economic system requires readjustment. We may pass bills of this kind every day and the farmer will be no better off. If anyone believes that the farmer does not know what is going on and is not informed I will tell that person that he is fooling himself. The farmer knows too well that his products are going through too many hands. He knows that his products are giving profits in the course of this channel from his farm to the consumer to so many who receive greater profits than he does and who contribute no toil, no labor, and take no risk. Everyone knows that the commission merchants and the jobbers take no risk. They do not even see the products very often. The farmer knows that the money lender who is sweating him for interest on his mortgage is taking no risk. The farmer knows that under existing laws railroads are guaranteed a return not only on an actual, honest investment but a return on a fictitious, watered, artificial valuation made by themselves of their own property. The farmer is not going to be fooled much longer with legislation of this kind.

I am much amused when I see some of my colleagues in the early morning pick up a New York City newspaper out here in our reading room, look over quotations of the grain market, see the price of wheat and corn, or the quotation on hogs, beef, or other products, rub their hands, and say, "Well, prices are going up; that's very good; conditions are excellent." I do not pretend to be an expert on farming, but I venture to say that when these prices are high, quotations are up, the

products are already out of the hands of the farmer. You can not measure the prosperity of the farmer by the quotations on a stock ticker. If the farmers are to derive the benefit of high prices, our whole system of distribution must be changed and give the farmer the benefit of prices instead of the speculator, canning companies, bankers, and food monopolies.

Mr. BLANTON. Will the gentleman yield?

Mr. LaGUARDIA. Just a moment, please. Now, let us be perfectly frank about this; what we have done in this country is this, we have destroyed natural markets for the grain and are now seeking to create artificial markets. Let us for a moment set aside any pet ideas, any personal views on the question. Let us set aside our attitude whether by force or choice toward the prohibition question and discuss it as an economic problem in connection with the present condition of the farmers raising grain. A natural place for surplus grain is the brewery and the distillery. Having cut that off suddenly, it is no wonder that we find a surplus amount each year, not only placing the farmer at a disadvantage but so confusing as to make it impossible to gauge future crops.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. SUMMERS of Washington. Does the gentleman know that the price of wheat and barley is higher to-day than it was before the passage of the Volstead Act?

Mr. LaGUARDIA. You have not only got a surplus, but you have also cut off a large source of revenue, and you now have to look to other sources of revenue. I ask gentlemen to consider this as an economic question and not to get excited about the other question. The price is not higher, considering the purchasing value of the dollar.

Now, gentlemen, what are you going to give to the farmer in this bill? You are going to give him a bureau in the Department of Agriculture. You are creating \$225,000 worth of jobs. Just what more information this \$225,000 will give the farmer than he can get to-day I dare say nobody knows.

Last summer I went into this question of the cost of food. I took a survey in New York City of the retail prices of meat in July, August, and September. Steak was retailing from 60 to 75 cents a pound; soup meat and stew meat, 25 and 30 cents a pound. The kosher meat, the cheapest cuts, were 35 and 40 cents a pound. Many civic organizations, tenants' associations, and neighborhood and community councils met at my invitation, and we protested. Soon came word from Chicago that it was the high cost of cattle, the big money which the cattle raisers were getting that caused the high retail prices. I went to Chicago myself. I went to the stockyards. I heard their story. Then I got in touch with our good friends in the House here who come from Texas and Oklahoma, who know all about cattle raising. And the figures I got from our colleagues were much lower than what the New York consumers were told was being paid to the cattle raisers. I then appealed to the Department of Agriculture to make a survey. I wanted official confirmation of our figures, but the Department of Agriculture gave me no help. The Secretary of Agriculture wrote me that he did not have the men to make the survey. I believe that right there was a specific instance and an opportunity to establish who was getting the profits, just where the high prices paid by the consumer were going, and at the same time do something for the cattle raisers. That is why I am always urging cooperation between the farmer and the consumer. That is why I want to take an active interest in farm legislation, and that is why I now say that the bill under consideration will do no good to either consumer or producer.

Mr. BLANTON. I heard the gentleman's former distinguished colleague from New York, Mr. Bourke Cockran, stand there and say he was going to be frank with the House, that he represented 5,000,000 consumers, and he wanted everything that they consumed to be gotten more cheaply.

Mr. LaGUARDIA. I want the farmers to get the high prices that we are paying in New York. I want to see the farmer prosper, because we can not eat if they do not produce. [Applause.]

I do not believe you need go to the department or any place else in Washington to obtain information about prices that we are paying in the city. I do wish that the farmers would get the benefit of them. Prices of farm products and meat are so high in New York City that we can not afford to buy all that we need. I do not want to hear anybody say that there is an oversupply when in my city I know that we could consume more if the speculators and price fixers, profiteers and monopolies did not have the power to fix prices limited only by their own greed. Gentlemen, do you realize that 95 per cent of the 6,000,000 people in New York City can not afford to eat lamb chops? Do you know that owing to

the high price of bacon and ham the good old American breakfast of bacon and eggs and ham and eggs can not be enjoyed by 75 per cent of the people in New York City?

We have a great market for the farmers if we could only establish direct communication between the farm and the consumers in the city. Let me give you an idea right here what New York City consumes in food.

Some idea of the immensity of the city's food problem may be had from the following figures, which include but a few of the largest items of food received:

Ten thousand head of cattle, 41,350 head of sheep, 13,700 calves, 52,650 hogs were killed here every week during the year 1923.

The weekly meat receipts in 1923 were: Livestock, 825 carloads; dressed meat (carcasses), 475 carloads; meat provisions, and so forth, 56 carloads; poultry (live), 185 carloads; and poultry (dressed), 232 carloads.

New York City consumes more than 3,000,000 quarts of milk every day, drawn from over 40,000 farms. These farms are for the most part located in seven neighboring States, though large quantities of milk are shipped from distant points, some even from over the Canadian border.

New York City eats more than 1,250,000 loaves of bread daily and about 9,000,000 eggs.

The amount of cheese eaten by New Yorkers last year weighed close to 50,000,000 pounds, or over 4,000,000 pounds a month, of which the greater part was produced in that State, though large quantities were shipped in from almost every State in the Union and from many of the European countries.

About 40,000,000 chickens, turkeys, geese, and ducks come into the city markets in a year; more than 60 carloads of them arrive every day. A considerable portion of the poultry and cattle is sent into the city alive, to meet the requirements of people who, for religious or other reasons, must have such food killed in a particular way.

The following figures will give an idea of the average daily consumption of other foods: Butter, 664,000 pounds; white potatoes, 2,093,425 pounds; sweet potatoes, 209,562 pounds; apples, 1,302,986 pounds; onions, 602,945 pounds; cabbage, 279,452 pounds. Other fruits and vegetables are consumed in similarly huge quantities that vary according to each season.

The monthly average consumption of groceries and canned goods is about 2,300 carloads; grain and flour, 9,000 carloads; and fish, over 124 carloads.

Mr. MANLOVE. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MANLOVE. Do you know that the American people are this year consuming about four times as much grain as they did before the Volstead Act was passed?

Mr. LAGUARDIA. Oh, do not let the gentleman get excited. They are consuming that much grain, but you still have a surplus. Does not the gentleman from Washington know that the American people are consuming as much booze to-day as they did before prohibition?

Mr. MURPHY. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MURPHY. The gentleman knows that the difference between the consumption now and what it was before is the difference between a teaspoon and a hoghead. [Laughter.]

Mr. LAGUARDIA. No. The only difference is in the quality. [Laughter.] Let us not get excited on the booze question. I am more interested in food than in booze.

Mr. SUMMERS of Washington. What did the gentleman mean when he said we had to go to other sources for revenue?

Mr. LAGUARDIA. Taxes.

Mr. SUMMERS of Washington. Who paid the taxes before?

Mr. LAGUARDIA. The consumers.

Mr. SUMMERS of Washington. They paid all the revenue that came from the liquor business?

Mr. LAGUARDIA. Yes. I think a greater burden is put on the farmers now. I assume that the gentleman's farmers did not consume any of this liquor.

Mr. SUMMERS of Washington. The farmers are very well satisfied on that. Their vote shows it.

Mr. LAGUARDIA. No one can ever get up and talk about this matter as an economic proposition without these enthusiastic gentlemen getting excited. I was put on the Committee on the Alcoholic Liquor Traffic as a punishment for my party "irregularity." I took it cheerfully. I want to get my committee to function. I want to know the facts. I want to know how much booze we are consuming, how much graft and corruption there is. Will the gentleman help me do something?

Mr. SUMMERS of Washington. Yes.

Mr. LAGUARDIA. I hope the gentleman will help me to put our resolution through.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman, you will get my cooperation on anything you can put forward that will benefit the farmers. I want to tell the Committee on Agriculture now that we are opening in New York City a municipal market, a terminal market. It costs the city \$7,500,000. The market is almost completed.

The Bronx Terminal Market is located at Exterior Street and East One hundred and fifty-first Street, Borough of the Bronx. This terminal market is on a plot covering 52 acres, on and adjacent to the water front, on the Bronx side of the Harlem River, immediately south of Macombs Dam Bridge. The receiving, classification, and distribution yards which will be operated in connection with the terminal market will have direct connection with the tracks of the New York Central Railroad and the New York, New Haven & Hartford Railroad systems, and by car-float connection on the river front with the freight cars of all the railroads entering the port of New York, which will be brought directly into the terminal yards. The track layout entirely within the terminal market area itself will be able to accommodate upward of 300 freight-car loads a day.

The Bronx Terminal Market plans, which in a general way are the same as those proposed for the other new terminal markets in Manhattan and Brooklyn, provide for the construction of cold and dry storage buildings as well as many other facilities, such as—

- Wholesale stores.
- Dry storage for these stores.
- Cold storage.
- Rear-door rail delivery to all stores.
- Front-door truck delivery to all stores.
- Rail deliveries to market platforms.
- Truck deliveries to these platforms.
- Elevator service from stores to upper part of building under cold storage.
- Elevator service from market platforms to upper part of buildings.
- Ample trucking streets.
- Ice-making plant and ice storage.
- Refrigerating plant.
- Refrigerator building for unloading cars in low temperature.
- Freight and sorting yard.
- The necessary ramps and return tracks.
- Special storage for fish, eggs, butter, cheese, etc.
- Special storage and sales stores for live poultry.
- Special sales and auction rooms for the immediate sale and disposal of all fruits, vegetables, etc.
- Special stores and sales stores for all meats, beef, veal, lamb, pork, etc.

It is contemplated to construct a similar market in Brooklyn and in Manhattan. The locations were selected, and the projects authorized during the time that I was president of the board of aldermen in the city. The one market I have just described will soon be in operation. May I now suggest that farmers' cooperatives or any farmer associations or individual should take advantage of these markets. They were constructed for that very purpose. When we authorized these markets we wanted to establish contact between the producer and the consumer. Let the farmer come in now and avail himself of this opportunity and not let the speculators and middlemen get control of this market by leasing up space and continue to have both the producer and the consumer at their mercy. I invite inspection of the Bronx market, and I am certain that it will convince any one that the consumers are serious in their desire to establish communication with the producers.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. LAZARO. The gentleman is aware of the fact that we are just beginning these cooperative markets, and that the object of the law is to get the consumers and the producers closer together and eliminate a lot of useless middlemen?

Mr. LAGUARDIA. Yes; but this will only give the farmer another lot of bulletins and such things.

Mr. LAZARO. It will help the farmer.

Mr. LA GUARDIA. Perhaps it may; but do not tell the farmer that you are passing legislation that will bring relief now.

Mr. LAZARO. This is a step in the right direction.

Mr. LA GUARDIA. It will not do any harm, but do not tell the farmer we have passed any legislation that is going to help him.

Mr. HAUGEN. Will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. HAUGEN. I understand there are a number of co-operatives in the State of New York that might take kindly to the suggestion of the gentleman and might take advantage of marketing through the market to which the gentleman has referred.

Mr. LA GUARDIA. You can go even farther West and market your farm products, livestock, potatoes, apples, onions, and so forth. You can bring all of these products to our markets and thereby provide a direct contact between the consumer and the producer, and you will also eliminate a lot of expense.

Mr. HAUGEN. I understand that a number of the co-operatives in the State of New York are selling direct to the consumer.

Mr. LA GUARDIA. But not as many as should be doing it.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. NEWTON of Minnesota. How are you going to handle wheat in connection with that proposition?

Mr. LA GUARDIA. Of course you will have to make it into flour first.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph. I can not subscribe to the doctrine of the gentleman from Illinois that human beings are like the lower order of animals and that farmers are like swine and will cooperate only when their stomachs are not full. I can not let that statement go unchallenged in the RECORD.

I do not know what kind of farmers he associates with in Illinois, but I know that the farmers throughout my State are always willing to cooperate with each other in every possible manner and with respect to every subject that comes before them. You let one of them need some help, and his neighbor will send his boys over there with his team and help him plow out his crop. You let one get in the grass, and his neighbor will send his boys over to help him chop out his cotton. You let him harvest his oats or his wheat, and sometimes you will see a half dozen farm wagons there from adjoining farms and his neighbors cooperating with him and helping him shock his grain to protect it from the weather.

When threshing time comes you will find a dozen farm wagons there from adjoining farms and the neighboring farmers cooperating with him and assisting him in a neighborly manner, just like human beings assist each other in every other walk of life. A farmer is no different from anybody else in that respect. He is a human being just like every other human being. I do not see just how the gentleman can compare a farmer with a pig and say that he is willing to cooperate only when his stomach is empty and when he is needing something, like swine.

Mr. BARBOUR. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BARBOUR. It occurs to me that the gentleman from Texas and the gentleman from Illinois might stage a very interesting debate on the subject of evolution.

Mr. BLANTON. I am not going into that because it might take us out to the Pacific coast; before we got through we would be in California arguing that question, and I do not want to involve my California colleagues in an issue of that importance.

I just want to say one word further on this bill. There is one very bad policy in the succeeding section and in the sixth section, which ought to be eliminated. We are providing in this bill, in the name of the farmers, a provision which gives the Secretary of Agriculture the right to call advisers without limitation from every portion of the United States, pay their transportation expense and \$10 a day for subsistence without any restriction on it at all. He could invite 100 from the Pacific coast if he wanted to; he could pay their transportation expense from California to Washington and pay them \$10 a day for subsistence. There is no limitation on this expense. And, under the provisions of the sixth section, he can establish headquarters in every city in the United States, pay for rent, pay for furniture, and employ just as many officers and just as many employees as he wants, without any limitation at all.

And he fixes their compensation as he pleases, without any limitation. I am not in favor of that kind of legislation. I have been fighting it ever since I have been in Congress. You say, "Oh, well, he is a Republican Secretary of Agriculture and we have confidence in him." Suppose he were a Democratic one; suppose he were of the party of the gentleman from New York [Mr. LA GUARDIA]; suppose he were of the other party of the gentleman from Wisconsin [Mr. BERGER]; suppose he belonged to the party of my good friend from Minnesota [Mr. KVALE]; or my other good friend from Minnesota [Mr. WEFALD]? Would you still say you were willing to give him carte blanche authority, without any limitation, just because he is a Republican and in the administration's Cabinet? We must look at this matter from a reasonable standpoint and protect the interests of the Treasury when we are providing for numberless employees of the Government.

The CHAIRMAN. The time of the gentleman from Texas has expired. Without objection, the proforma amendment is withdrawn.

Mr. HARE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HARE: On page 2, strike out lines 5 to 12, inclusive, and substitute therefor the following:

"Sec. 2. The Secretary of Agriculture is hereby authorized and directed to enlarge and extend the activities of the division of markets in the Bureau of Agricultural Economics of the Department of Agriculture so that in addition to the existing duties and activities the division shall be charged with the duties hereinafter provided in this act."

Mr. HARE. Mr. Chairman, this amendment is not offered for the purpose of listening to myself speak, because I hope to finish what I have to say in less than the time allotted. I desire to call attention to a fact that was brought out in debate yesterday, which was to the effect that practically all that is to be accomplished by this bill is now being accomplished in and by the Department of Agriculture. In other words, section 2 of this bill provides that we shall establish a division in the Department of Agriculture in the Bureau of Economics; and I contend that the division of markets is now performing the work we purpose to perform by this act. The purpose of my amendment is to create in the Bureau of Economics and in the division of marketing not a new division but an enlargement of that division so that, in addition to the existing duties, they can continue their work and perform the duties required by the bill under consideration. The purpose of my amendment means the elimination of a division chief, the elimination of other unnecessary officers, the elimination of office forces, the elimination of office equipment, and thereby the elimination of at least \$125,000 of this appropriation. Under the professed economy of this Congress I believe the same purposes can be accomplished by extending the work of the division of markets as by creating a new division, and within the course of a few years save millions of dollars to our taxpayers.

I want it to be understood that I am in favor of the provisions of this act, for I see wonderful possibilities in it; but I feel it is a useless expenditure to make an appropriation of \$225,000 in order to do the work that could be done with the existing agency already provided for by Congress, appropriations already provided or will be provided in the appropriation bill for the Department of Agriculture, and by the adoption of this amendment we can reduce the expenditures at least \$125,000 annually. It strikes me that we can accomplish the same purpose and avoid the possibility of creating a new division, which Congress is being censured for day after day and year after year, namely, for creating useless divisions and useless bureaus wherein they duplicate work and duplicate expense. If the division of markets in the Department of Agriculture is already performing the work that is largely accomplished or contemplated by this act, why should there not be a duplication of work and why should there not be a duplication of appropriations if we go ahead now and appropriate \$225,000 more and let the division of markets continue, its functions continue, its appropriations continue, and its forces continue just as they exist to-day? I submit, therefore, gentlemen of the House, that it is in the spirit of economy and in the spirit that has been held out by this Congress that we should eliminate an expense whenever possible and thereby save, in this particular instance, \$125,000 annually.

Mr. McLAUGHLIN of Nebraska. Will the gentleman yield?

Mr. HARE. Yes.

Mr. McLAUGHLIN of Nebraska. Has the gentleman noticed in the hearings that the chief of the Bureau of Markets and

others say that they could not undertake this work with their organization and that there would be no duplication.

Mr. HARE. I was going by the statements made on the floor of this House by gentlemen who favor and indorse this bill, when they said that nothing is undertaken under this bill but what is now being accomplished by the Department of Agriculture, and if the work is being accomplished by existing governmental agencies I can see no good reason for the creation or establishment of another division, which means the creation of more jobs and incurring greater expenditures of money. Of course, I want it understood that I am in favor of assisting cooperative associations of farmers, but not that part of the bill providing for the establishment of a new division, for, as I see it, the division of markets is equipped and qualified to efficiently perform all the work provided for in this bill, and it would not take more than \$100,000 increase in its present appropriation to do it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was rejected.

The Clerk read as follows:

SEC. 3. (a) The division shall render service to associations of producers of agricultural products, and federations and subsidiaries thereof, engaged in the cooperative marketing of agricultural products, including processing, warehousing, manufacturing, storage, the cooperative purchasing of farm supplies, credit financing, insurance, and other cooperative activities.

(b) The division is authorized—

(1) To acquire, analyze, and disseminate economic, statistical, and historical information regarding the progress, organization, and business methods of cooperative associations in the United States and foreign countries.

(2) To conduct studies of the economic, legal, financial, social, and other phases of cooperation, and publish the results thereof. Such studies shall include the analyses of the organization, operation, financial, and merchandising problems of cooperative associations.

(3) To make surveys and analyses, if deemed advisable, of the accounts and business practices of representative cooperative associations upon their request; to report to the association so surveyed the results thereof; and with the consent of the association so surveyed to publish summaries of the results of such surveys, together with similar facts, for the guidance of cooperative associations and for the purpose of assisting cooperative associations in developing methods of business and market analysis.

(4) To confer and advise with committees or groups of producers, if deemed advisable, that may be desirous of forming a cooperative association and to make an economic survey and analysis of the facts surrounding the production and marketing of the agricultural product or products which the association, if formed, would handle or market.

(5) To acquire from all available sources information concerning crop prospects, supply, demand, current receipts, exports, imports, and prices of the agricultural products handled or marketed by cooperative associations, and to employ qualified commodity marketing specialists to summarize and analyze this information and disseminate the same among cooperative associations.

(6) To promote the knowledge of cooperative principles and practices and to cooperate in promoting such knowledge with education and marketing agencies, cooperative associations, and others.

(7) To make such special studies in the United States and foreign countries, and to acquire and disseminate such information and findings as may be useful in the development and practice of cooperation.

Mr. BARBOUR and Mr. WHITTINGTON rose.

Mr. BARBOUR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Is the gentleman from Mississippi [Mr. WHITTINGTON] a member of the committee?

Mr. WHITTINGTON. No; I am not.

The CHAIRMAN. Then the Chair first recognizes the gentleman from California [Mr. BARBOUR].

Mr. BARBOUR. Mr. Chairman, the statement has been made that this bill does not amount to very much because it does not really do anything for the benefit of the cooperatives. If I had my way I would go a whole lot further in rendering aid to the cooperative-marketing associations of this country than this bill proposes to go. I would go as far as to vote again for the bill which was brought in here last year by the chairman of the Committee on Agriculture, the bill in aid of cooperative-marketing associations, known as the Haugen bill.

In my opinion there are two provisions in this bill which fully justify its enactment and make it desirable as legislation in aid of cooperative-marketing associations, and I direct your attention to subdivision 5 of section 3, wherein it is provided that the division of cooperative marketing shall have power to acquire from all available sources information concerning crop

prospects, supply, demand, current receipts, exports, imports, and prices of agricultural products and disseminate the same among cooperative associations; and with that the provision in section 5 that persons engaged as original producers of agricultural products and acting together in associations may acquire, exchange, interpret, and disseminate past, present, and prospective crop, market, statistical, economic, and other similar information.

I live in a country where cooperative marketing has probably reached its highest state of development, and we have found there that one of the problems of the cooperative-marketing association is the same as the problem of the farmers who are not organized, and that is overproduction. There has been no way in which information could be gathered successfully and disseminated among the members of an association in a way that would prevent the overproduction of the farm products which these associations handle and market.

This legislation will give to the bureau of cooperative marketing and to the members of the various organizations the right to gather such information and to disseminate it among organizations and among themselves without being liable criminally for such acts. It will, in my opinion, tend to do away with this great problem that has confronted us and now confronts us, namely, the problem of overproduction, and in my opinion those two provisions alone in this bill amply justify its enactment and make it desirable legislation from a cooperative and from an agricultural standpoint.

Mr. KETCHAM. Will the gentleman yield?

Mr. BARBOUR. I yield to the gentleman from Michigan.

Mr. KETCHAM. The gentleman has referred to his experience and knowledge of the cooperative organizations of California; from that experience will the gentleman advise the committee as to the value of the research work that is to be cared for under this bureau? In other words, is it the gentleman's judgment that the cooperatives have now come to the point where they realize they do need expert advice on many of the problems that arise?

Mr. BARBOUR. Absolutely. They have wanted a place time and again, I might say, to which they could turn for information of the kind provided for in this bill.

Mr. KETCHAM. In other words, your cooperatives do not believe they know all there is to be known with reference to this great cooperative movement.

Mr. BARBOUR. Indeed, not. To a large extent, even yet they feel they are pioneering in that field.

Mr. KETCHAM. I am very glad to have the gentleman's indorsement of that idea.

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and members of the committee, I am very much in favor of the general principle of cooperation in the distribution and marketing of agricultural products. I am in sympathy with the purposes of this bill, but at this time I want to submit respectfully that I think in view of the statements made by the gentleman from New Jersey [Mr. FOUR] there is a mistake in the broad definition of the term "agricultural products" as used in the first section of the bill. The definition should be confined to the real products of the farm, and manufactured products should be eliminated therefrom.

The gentleman from New Jersey is very frank. He says he would extend the principal of cooperative marketing not only to the handling and marketing of the original products but to the manufactured products of the articles produced on the farm.

Members of the committee, I take it that the primary purpose of this bill is to aid the producers of cotton, corn, and other agricultural products, and it is not the purpose of this bill to aid those who are engaged in the manufacture of cotton, cottonseed, or corn, or wheat, or other products of the farm. It is not the manufacturer whom we desire to aid or assist by the passage of this bill; and I, therefore, say that if we are to divert from the real purpose underlying this legislation any part of the appropriation of \$225,000 carried by this act for the years 1926 and 1927 toward an investigation of the problems of the manufacturer then it will defeat the real purpose of aiding and assisting cooperative marketing. I therefore maintain that, in my humble judgment, it was a mistake to enlarge the definition of the term "agricultural products" in the first section of this bill so as to include the packer, so as to include the manufacturer of cottonseed and the manufacturer of other agricultural products, because I want to say that, coming from the South as I do, in my judgment the manufacturers of cottonseed and other agricultural products do not need any aid or assistance. They are thoroughly organized. It is the producer, the farmer who is not organized, who needs assistance; and, as I understand it, it is the fundamental

aim of this legislation to aid the farmer in organization for marketing and distributing his products.

In this connection I want to say that if a large part of this appropriation is to be diverted to aid and assist the manufacturer, whether it be of cottonseed or cotton or naval stores, the very aim of this legislation will be defeated, because the gentleman from New Jersey admits that the manufacturer is aided only by the benefits he will derive from the first four sections of the bill. He will not enjoy any powers under section 5 of the act, and he will remain and operate under the anti-trust laws. The gentleman says, as I understand him—and I agree with him—that section 5 of this bill enlarges the rights of cooperative farm organizations, including those operating under the Capper-Volstead Act, and gives them power and privileges that they do not now enjoy. If that be true, I respectfully suggest that section 7 should amend the Capper-Volstead Act to enable producers of agricultural products to be protected in the enjoyment of the additional benefits and powers, and that the Capper-Volstead Act, except as amended and enlarged by this bill, shall remain in full force and effect—for all original producers, whether under the Capper-Volstead Act or not, should be protected by the pending bill.

If it be the intention to enlarge the provisions of the Capper-Volstead Act so as to apply to any association or corporation, whether that corporation or association declares a dividend of 8 per cent or more, whether the cooperative corporation or association handles more of the products of outside persons than it does of its own members, then it must of necessity intend to repeal that part of the Capper-Volstead Act, and it should so state in section 7.

So, while I stand for the principle of cooperative marketing, I do not believe it wise to extend the definition so as to divert a large part of this appropriation and the agencies hereby created toward helping the manufacturer rather than the grower.

I remind the members of the committee in this connection that it was the purpose of the Clayton Act to provide that labor is not a commodity or an article of commerce. It was the purpose of the Clayton Act, as originally passed, among other things to provide for the elimination of cooperative agricultural agencies operating without profit from the operation of the antitrust law. That provision was extended by the Capper-Volstead Act; and if it be the intent to further extend the provisions of the Capper-Volstead Act, to further extend the immunities to agriculture from the operation of the antitrust law by the passage of this act, I respectfully say that the suggestions I have made herein should be adopted in the real interest of cooperative marketing of agricultural products. [Applause.]

Mr. HAUGEN. Mr. Chairman, I desire to offer an amendment. On page 2, line 18, after the word "credit," insert a comma.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: On page 2, line 18, after the word "credit," insert a comma.

The CHAIRMAN. The question is on the amendment. The amendment was agreed to.

Mr. HAUGEN. Mr. Chairman, I offer another amendment. The Clerk read as follows:

Page 4, line 5, strike out the word "education" and insert the word "educational."

The CHAIRMAN. The question is on the amendment. The amendment was agreed to.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the question I wish to ask the chairman of the committee is in relation to subdivision 6 of section 3, where an amendment has just been adopted changing the word "education" to "educational." That is to encourage cooperative marketing by the Department of Agriculture. Section 3 provides:

SEC. 3. (a) The division shall render service to associations of producers of agricultural products, and federations and subsidiaries thereof, engaged in the cooperative marketing of agricultural products, including processing, warehousing, manufacturing, storage, the cooperative purchasing of farm supplies, credit financing, insurance, and other cooperative activities.

(b) The division is authorized—

(1) To acquire, analyze, and disseminate economic, statistical, and historical information regarding the progress, organization, and business methods of cooperative associations in the United States and foreign countries.

(2) To conduct studies of the economic, legal, financial, social, and other phases of cooperation, and publish the results thereof. Such

studies shall include the analyses of the organization, operation, financial, and merchandising problems of cooperative associations.

(3) To make surveys and analyses if deemed advisable of the accounts and business practices of representative cooperative associations upon their request; to report to the association so surveyed the results thereof; and with the consent of the association so surveyed to publish summaries of the results of such surveys, together with similar facts, for the guidance of cooperative associations and for the purpose of assisting cooperative associations in developing methods of business and market analysis.

(4) To confer and advise with committees or groups of producers, if deemed advisable, that may be desirous of forming a cooperative association and to make an economic survey and analysis of the facts surrounding the production and marketing of the agricultural product or products which the association, if formed, would handle or market.

(5) To acquire from all available sources information concerning crop prospects, supply, demand, current receipts, exports, imports, and prices of the agricultural products handled or marketed by cooperative associations, and to employ qualified commodity marketing specialists to summarize and analyze this information and disseminate the same among cooperative associations.

(6) To promote the knowledge of cooperative principles and practices and to cooperate, in promoting such knowledge, with educational and marketing agencies, cooperative associations, and others.

(7) To make such special studies, in the United States and foreign countries, and to acquire and disseminate such information and findings as may be useful in the development and practice of cooperation.

I want to ask what relation the activities of the department would have to the commercial attachés in gathering information in this way. What sort of cooperation would there be? Would there be special attachés from the Department of Agriculture?

Mr. HAUGEN. We have in foreign countries now representatives of the department, and I take it that possibly the number may be increased. The representative of the department stated that it was the intention to employ 15 or 20 specialists at a salary of \$3,800 to do this work that is provided for in the bill. Nothing was said about people being employed in foreign countries, and I do not know what the department has in mind.

Mr. HILL of Maryland. Representatives in foreign countries to investigate would be absolutely essential, would they not?

Mr. HAUGEN. I think that is being done at the present time.

Mr. HILL of Maryland. I wondered what cooperation the department attachés of the Department of Commerce would be?

Mr. HAUGEN. I understand in some cases they do cooperate. In England I understand the two departments are represented, and they investigate and report upon market conditions.

Mr. HILL of Maryland. The farm situation at the present time is one which requires the very careful consideration of Congress. The question of cooperative marketing is one of extreme importance to all interested in this farming situation. The farmers of Maryland are especially interested in this legislation.

The 1925 farm census is worthy of very careful study in this connection. I invite your attention to the following statement, which gives some of the most important figures from the 1925 farm census for the State of Maryland. You will also note that there is certain interesting comparative data for 1920:

Farm census 1925

	1925	1920
NUMBER OF FARMS		
Total.....	49,002	47,908
Operated by—		
White farmers.....	42,281	41,699
Colored farmers.....	6,721	6,209
Owners.....	35,138	32,805
Managers.....	937	1,262
Tenants.....	12,927	13,841
Per cent operated by tenants.....	26.4	28.9
FARM ACREAGE		
All land in farms.....	4,430,648	4,757,999
Crop land, 1924.....	2,227,515	
Harvested.....	1,777,513	
Crop failure.....	36,982	
Fallow or idle.....	413,020	
Pasture, 1924.....	863,510	
Plowable.....	525,773	
Woodland.....	187,183	
Other.....	150,554	
Woodland not pastured.....	949,310	
All other land.....	369,313	
Average acreage per farm.....	90.6	99.3

Farm census 1925—Continued

	1925	1920
FARM VALUES		
Land and buildings	\$345,304,202	\$386,596,850
Land alone	\$209,397,334	\$259,904,047
Buildings	\$135,906,868	\$126,692,803
Average value of land and buildings:		
Per farm	\$7,047	\$8,070
Per acre	\$77.78	\$81.25
LIVESTOCK ON FARMS		
Horses	116,761	141,341
Mules	30,761	32,621
Cattle, total	278,354	283,377
Beef cows ¹	20,082	10,396
Other beef cattle	28,895	43,270
Dairy cows ¹	172,791	161,972
Other dairy cattle	56,586	67,739
Swine, total	203,133	316,452
Breeding sows ²	26,666	41,320

¹ Cows and heifers 2 years old and over. The total number of cows milked in 1924 was 173,469, including 9,590 "beef" cows.

² Sows and gilts for breeding purposes, 6 months old and over.

Principal crops

	1924	1919
Corn:		
Acres	480,808	619,265
Bushels	13,365,298	21,083,076
Oats:		
Acres	40,154	48,891
Bushels	1,173,310	1,082,994
Wheat:		
Acres	484,652	664,295
Bushels	7,666,023	9,620,526
Barley:		
Acres	10,783	3,888
Bushels	290,124	111,221
Rye:		
Acres	14,610	21,196
Bushels	183,575	230,596
Buckwheat:		
Acres	6,927	8,736
Bushels	118,298	168,639
Hay:		
Acres	419,768	385,200
Tons	529,320	444,894
White potatoes:		
Acres	36,954	46,837
Bushels	3,522,554	4,918,766
Sweet potatoes:		
Acres	6,744	10,185
Bushels	974,089	1,453,880
Tobacco:		
Acres	31,685	28,550
Pounds	23,307,649	17,336,859
Apples:		
Trees not of bearing age	576,875	766,264
Trees of bearing age	1,812,038	1,651,936
Bushels	1,810,387	1,518,894
Peaches:		
Trees of all ages	1,152,843	1,282,572
Bushels	625,039	564,111

You have perhaps heard of my rather celebrated cider farm in the heart of Baltimore, which has been known as a 65-gallon farm, rather than a farm measured by acres, but some of you may be surprised to know that we have a number of other farms in Baltimore City, and I therefore desire to call to your attention these portions of the 1925 farm census which apply to Baltimore City itself. I might explain that the State of Maryland is divided into 23 counties, exclusive of Baltimore City, which is itself not in any county, but is a political equivalent to 4 counties of the largest type. The following statement gives the results of the 1925 farm census for Baltimore City. It also gives certain data for 1920 which will be interesting for the purpose of comparison:

Farm census, 1925, Baltimore City, Md.

	Jan. 1, 1925	Jan. 1, 1920
NUMBER OF FARMS		
Total	317	331
Operated by:		
White farmers	314	328
Colored farmers	3	3
Owners	232	213
Managers	11	30
Tenants	74	88
FARM ACREAGE		
All land in farms	8,630	12,623
Crop land, 1924	4,800	
Harvested	3,710	
Crop failure	54	
Fallow or idle	1,036	

Farm census, 1925, Baltimore City, Md.—Continued

	Jan. 1, 1925	Jan. 1, 1920
FARM ACREAGE—continued		
Pasture, 1924	1,254	
Plowable	787	
Woodland	218	
Other	249	
Woodland not pastured	1,652	
All other land	924	
FARM VALUES		
Land and buildings	\$9,255,683	\$8,914,375
Land alone	\$6,750,300	\$4,918,515
Buildings	\$2,505,383	\$1,995,860
LIVESTOCK ON FARMS		
Horses	451	618
Mules	79	156
Cattle, total	1,068	1,700
Beef cows ¹	17	108
Other beef cattle	8	69
Dairy cows ¹	903	1,247
Other dairy cattle	140	276
Swine, total	590	1,325
Breeding sows ²	29	175

¹ Cows and heifers 2 years old and older.

² Sows and gilts for breeding purposes 6 months old and over.

Principal crops

	1924	1919
Corn:		
Acres	343	1,158
Bushels	10,438	52,725
Oats:		
Acres	149	109
Bushels	4,265	1,988
Wheat:		
Acres	231	674
Bushels	4,095	12,484
Hay:		
Acres	1,965	1,961
Tons	1,636	2,961
Peaches:		
Trees of all ages	1,671	7,477
Bushels	2,915	2,842

The Bureau of the Census compiled this agricultural census as of January 1, 1925. There has been a very great demand from farm organizations for these figures, which are of especial importance in relation to cooperative marketing.

The system of cooperative marketing will be greatly facilitated by the passage of the pending bill, H. R. 7893, introduced by the chairman of the Agricultural Committee, Mr. HAUGEN. I shall, of course, vote for this measure, and feel confident that the bill will pass by a large majority.

I regret to note the decrease of Baltimore City farming, but that is due to the rapid growth and building up of the city.

In 1919 there were quite a lot of corn and wheat raised in Baltimore City, in the outlying districts, where urban life had not dispossessed the farmer. To-day the city must look to the country. The city is, however, the market, and cooperation between the two is absolutely essential. What hurts the farmer hurts the city. What helps the farmer helps the city.

The Maryland farmers are deeply interested in cooperation, and I hope this bill will pass. [Applause.]

Mr. LEAVITT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of this bill, the purpose of which is to create a division of cooperative marketing in the Department of Agriculture; to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to provide for calling advisers to counsel with the Secretary of Agriculture on cooperative activities; to authorize cooperative associations to acquire, interpret, and to disseminate crop and market information.

It is not claimed that this bill meets all of the needs of the agricultural industry or that the farmers are not also in need of other legislation to meet still other difficulties which exist and which can not be met by cooperative marketing alone. There is other proposed legislation before the Committee on Agriculture directed toward the question of the exportable surplus of some crops, and I have already expressed myself in favor of constructive legislative action toward that end, and shall discuss that further when such measures are again before the Congress. This bill, however, is intended to give the benefit of the Government to the great movement of cooperative marketing of farm crops, just as the benefit of the Government through the Department of Agriculture is now given

to the production of such crops. That is a constructive step and one in which we should all join.

I am particularly in favor of the bill because the great farm organizations having to do with production and marketing of crops are a unit in favor of the necessity for such legislation and with regard to this bill itself. While the Committee on Agriculture was holding its hearings here in Washington there was also in session here the great convention of the National Council of Farmers' Cooperative Marketing Associations. That organization comprises a very great number of cooperative associations from every part of the United States, and the committee it appointed to appear before the legislative committees of the Congress included officers of the American Cotton Growers' Exchange, of a wheat growers' association, of the Federated Fruit and Vegetable Growers, of the tobacco growers, of the Farm Bureau, and, in addition, the general counsel of the great cooperative marketing association then in convention, and the editor of the Farmer-Stockman. This committee favored the bill and spoke for the general association of cooperators.

I have great hope that the passage of this bill will result in strengthening the cooperative marketing movement in such a way as to simplify many of the other problems confronting agriculture. The marketing of crops at a profit is the fundamental necessity to the success of agriculture, just as the sale of the products of any industry at a profit is necessary to the success of that industry.

The opposition to this bill during the debate has been along a partisan and facetious line, evidently expressed in the fear that this administration will get some credit among the farmers for having taken a constructive step forward, and it is unfortunate that anyone should raise a voice against the measure for any such reason as that. This bill has great value. It will be passed by a large majority and will become law. Its beneficial effects will become increasingly apparent. It will not preclude in any way the consideration of other farm legislation to meet other problems in which I am equally interested, and with regard to which I shall take an active part. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word, and I may wish to offer an amendment. I call the attention of the committee to the first line on page 2 of section 3:

The division shall render service to associations of producers of agricultural product:—

And so on. That word "service" is a very broad word. It is evidently intended, and I am told by a member of the Committee on Agriculture that that word "service" shall be by way of information, advice, and instruction; but the word is broader than that. That word would justify and make necessary personal service—employment of men to do actual physical work in connection with some of the activities of these cooperative organizations.

In calling the attention of the chairman of the committee to that word, he expressed the opinion, if I understand him, that the service is limited by what follows in line 20:

A division is authorized to acquire, analyze, and disseminate economic, statistical, and historical information—

And so forth. If service of that kind is meant and is limited to that, it may be all right, but I insist that the word "service" is much broader than that; that it opens up another field of activity, and it may be abused by anyone who is benefited by the bill or who will operate under it and wish to take advantage of it, and later there will be others who will say that the word "service" means other work, real work, by agents of the department. The Committee on Appropriations one of these days will bring in an appropriation to provide for some of these personnel services, perhaps to engage men to oversee one of these cooperative associations—do the actual work of business management—a long line of elevators perhaps, and the question will be raised whether there is any authority of law for such an appropriation. The Committee on Appropriations can point to the word "service" in this act which would justify an appropriation for that purpose.

I do not want to mutilate the bill, I want to see it go through practically as it is; I am in harmony with it, but I differ from gentlemen as to the meaning of the word service. I think some other word ought to be used or an amendment should be inserted so that its meaning will be limited to what follows in line 20. So I would suggest that after the word "service" the words "described in this section" should be inserted. It will then read, "the division shall render service as described in this section to associations," and so forth.

Then, referring to the rest of this section, there is this entirely proper and intended service of acquiring and disseminating information.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. NEWTON of Minnesota. As I understand it, there is no difference between the gentleman from Michigan and the gentleman from Iowa [Mr. HAUGEN] as to what was intended by the term "service."

Mr. McLAUGHLIN of Michigan. I understand that we are entirely in agreement.

Mr. NEWTON of Minnesota. Because there is no difference between the gentlemen, it seems to me that in the interest of clarity and to prevent misunderstanding in the future, the amendment suggested by the gentleman from Michigan should be adopted. Then we will avoid anything of the kind referred to by the gentleman in future years.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman from Iowa agree to that amendment?

Mr. HAUGEN. Mr. Chairman, it seems to me that it is true, as stated by the gentleman, that the word "service" is rather a broad word to use; but, after all, the purpose is to be of service to the cooperative associations, and if they find it necessary to engage in business along certain lines, that they may have the opportunity to do so. We must trust the Secretary of Agriculture to do the proper thing. We do not expect him to go into the packing business or to employ people and place them at these various institutions.

Mr. McLAUGHLIN of Michigan. The gentleman says that this act is to determine the activities of the Department of Agriculture and its agents. The chairman now says that it may be necessary to go into business and operate some of these propositions.

Mr. HAUGEN. Oh, no; I did not so state.

Mr. McLAUGHLIN of Michigan. Then I misunderstood the gentleman.

Mr. HAUGEN. I understood the gentleman from Michigan to state that it was possible under this act to employ people to supervise factories. The department has no such intention.

Mr. McLAUGHLIN of Michigan. Then we entirely agree, and why not make it clear?

Mr. HAUGEN. But, after all, it is not the purpose to hamstring the department.

Mr. McLAUGHLIN of Michigan. Oh, no; and I would be the last one to attempt such a thing.

Mr. HAUGEN. The purpose is to be of service to the cooperatives, and not to limit them. We have a bill here which has been prepared by the department, and it has been approved by the cooperatives, and I think it fair to trust to the judgment of the department and also to trust to the Secretary of Agriculture.

Mr. McLAUGHLIN of Michigan. But who will be the next Secretary of Agriculture?

Mr. HAUGEN. I do not know.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer as an amendment, page 2, line 13, to insert the words "described in this section" after the word "service."

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 2, line 13, after the word "service," insert the words "described in this section."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto be limited to five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I shall take only a minute. We are entirely in accord as to the meaning of this bill and the purpose to be accomplished. I have great faith in the gentlemen connected with the Department of Agriculture. For many years I was a member of the Committee on Agriculture and was brought in close touch with them. I have often wondered how the Government is able to secure and to keep men as good as they are for the money they receive. They are educated, well informed, aggressive, ambitious, en-

thusiastic, zealous—and I admire them for that—and their zeal often leads them to reach out and do everything they can possibly find to do that the law will permit; and good men, invaluable to the department as they are, they must sometimes be held in check. Suppose a cooperative organization comes in and says, "We have organized, we have operated for a year and are unsuccessful; you tell us that we can be successful; send us a man to be our superintendent for a year, render us the service the law speaks of, give us one of your men as manager or superintendent, who will tell us and show us how we can be successful." The Secretary may reply that he has no authority. He will then be told to look at the law and the word "service" will be pointed out to him. It will be urged that it is broad enough. And then will come an appropriation bill to provide for that service, and here is the word "service" in the law upon which an appropriation can be hung.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. NEWTON of Minnesota. Under the interpretation of this section as given by the gentleman from Iowa [Mr. HAUGEN], it seems to me that in the years in the future they will be justified in asking the Committee on Appropriations to extend the word "service" further than is particularized here in the various paragraphs of the section, and it seems to me we should take action to limit it along the lines the gentleman from Michigan suggests.

Mr. McLAUGHLIN of Michigan. There is opportunity for it; it is reasonably possible.

Mr. HAUGEN. Mr. Chairman, I appreciate the gentleman's good intentions. I know that his record will bear me out in the statement that he has always proceeded with fidelity to duty and rectitude to purposes and has had always a deep interest in agriculture. I am not unmindful of the splendid service that the gentleman rendered while a member of the Committee on Agriculture. I know that he has the same purpose in mind that I have, and that is to not unjustly restrict the activities of the department. I am certain that the gentleman is as liberal in that respect as I. I suggest again that the appropriation will in this case, as in all other cases, limit the activities of the department, and it does not seem necessary to proscribe and limit it any further. We would have difficulty in describing the limitations to be placed upon the word "service." The purpose of this bill is to render service and to render it to the particular persons who are engaged in agricultural pursuits.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. KINCHELOE. I just want to ask the chairman of the committee what objection he has to adopting the amendment of the gentleman from Michigan. It is a clarifying amendment, and I do not see why it should not be adopted.

Mr. HAUGEN. The gentleman says it is a clarifying amendment. No; it is to restrict.

Mr. KINCHELOE. It ought to be restricted.

Mr. HAUGEN. If the gentleman wants to restrict the activities of the department, it is for him to support such an amendment. I am pleased to say the House thought it not wise to restrict the activities of the department. We want to give the department a free hand.

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the Chair announced the ayes appeared to have it.

On a division (demanded by Mr. HAUGEN) there were—ayes 55, noes 66.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. The Secretary of Agriculture is authorized, in his discretion, to call advisers to counsel with him and/or his representatives relative to specific problems of cooperative marketing of farm products or any other cooperative activity. Any person, other than an officer, agent, or employee of the United States, called into conference, as provided for in this section, may be paid actual transportation expenses and not to exceed \$10 per diem to cover subsistence and other expenses while in conference and en route from and to his home.

Mr. BURTNESS. Mr. Chairman, I move to strike out the last word. While it is true that this bill may not give legislative authority for a great many things that are not already permitted under the general laws of the United States, yet I feel that by affirmatively countenancing and encouraging cooperative marketing and by establishing a division in the Department of Agriculture particularly for that purpose as proposed in this legislation, we are doing something worth while

toward making such a movement a greater success than it has heretofore been.

Mr. STEVENSON. Will the gentleman yield for a question?

Mr. BURTNESS. Not now.

Mr. STEVENSON. I just wanted to ask how many officers do you provide for and how many new men will be put on the pay roll here in Washington?

Mr. BURTNESS. Very few. I have heard several reasons for various provisions of this bill. I was rather forcibly impressed with the suggestion made by the gentleman from Illinois that this bill might make it more possible to protect the public against attacks from promoters and others who are interested in farm cooperative associations for the purpose largely of lining their own pockets rather than for the purpose of assisting the producers, and it was largely because of my interest in the public, which often suffers even in the name of a worthy cause, that I made bold to make a pro forma amendment in order to obtain the floor. In that general connection I can not help but make this statement, that I for one rather regret that the Committee on Agriculture did not report a bill with just a few more teeth in it than we have in this bill, and I for one feel the bill that this same committee reported last February was preferable to the one reported now.

You will recall that that bill was a bill sponsored, I believe, by the so-called Agricultural Commission which President Coolidge had appointed in the spring of 1924 but was opposed by quite a large number of officials and agents of cooperative organizations of the country. I recall that Secretary Jardine was a member of the President's commission, and I assume, therefore, that the bill reported by the Committee on Agriculture a year ago had the approval of the present Secretary. Today we have a bill also supported by that Secretary, but not written by that commission, but I believe a bill written by the cooperative leaders themselves. Now I personally have no quarrel with such leaders, yet I recall that there may be on their part some special interest in legislation of this sort. I try to view these questions more from the viewpoint of producers not as yet in cooperative associations but yet hopeful of relief therefrom. These are somewhat new problems out in the northwestern country from which I come, and there are certain difficulties in connection therewith. One of the greatest difficulties we have experienced is that which has been encountered by some along that line suggested by the gentleman from Illinois [Mr. ADKINS]. Our producer's money has been taken without giving anything in return. This naturally results in the lack of confidence on the part of persons whose membership is sought in a particular organization that is going to be established. Now it may be that this bill will help out somewhat in that regard, for this bill does make it possible for the department even to send out men to consult with the people who are going to organize a cooperative and possibly help in getting that cooperative started right. But we had language in the bill of a year ago which is not in this one, and which I rather regret, which gave to the department or agency that was provided for in that bill some semblance of regulation over these cooperative marketing concerns. It is true such bill gave the department the power to license an organization, and it can be argued that because of such power to license it in a way would be sponsored by the Federal Government, and that therefore the Federal Government in turn should have the power to audit its books and things of that sort.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTNESS. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTNESS. I feel that some such provision is going to come in the future. I can not, for instance, see why there should be any great distinction between control of cooperative associations where members put their entire crops into a cooperative, put their entire year's work into a pool handled by a few men, and the control of banks into which that same individual may put all his money, which represents his crop, the proceeds of that particular crop. The need for honest and able management is as great in one case as in the other. I submit the need for some sort of regulation and control is almost of equal importance. I assume that in the case of men interested in a cooperative association largely for the purpose of drawing fat salaries there would be very great objection to any sort of regulation.

But as to the members of the association and to the men who really organize a cooperative association for the purpose of rendering service to the members thereof, I can not see that there would be a great deal of objection, and I predict now that the time will come when the honest cooperatives, the ones who are concerned with rendering the best kind of service to their

members, are going to come in here and ask for that sort of legislation. They will want it for their own protection. I think it would greatly encourage the general movement.

We perhaps overwork the word "cooperation" in these days. Many think it is going to solve all the evils of agriculture. I wish that were so. I think it will solve many of them with reference to certain crops; but I want to tell you gentlemen who are familiar with cooperative movements where they are successful on a relatively small scale, as where the people have a monopoly of the crops produced, that the cooperative which handles all the prunes in a district or all the raisins in one district is one thing and a system of cooperatives that would handle all the beef products or the pork products or the wheat products of the country that are raised in 48 States of the Union is an entirely different proposition and one much more difficult of successful execution. I doubt very much whether the cooperative movement can render much aid in such crops or products in so far as getting better prices is concerned. I do not want to throw cold water on them; not at all. I hope they will be successful. There may be a useful field in eliminating some waste in distribution, in getting crops and products properly graded, in getting the crop to the consuming centers at the proper time so that there may be orderly marketing instead of a glut, and in various other important ways which I do not desire to minimize. But I do not want anyone here to get the impression that when you pass legislation that will encourage that type of marketing associations a great deal is being done along the line of insuring those particular farmers fair prices. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 5. Persons engaged as original producers of agricultural products, such as farmers, planters, ranchmen, dairymen, nut or fruit growers, acting together in associations, corporate or otherwise, in collectively processing, preparing for market, handling, and marketing in interstate and/or foreign commerce such products of persons so engaged, may acquire, exchange, interpret, and disseminate past, present, and prospective crop, market, statistical, economic, and other similar information by direct exchange between such persons, and/or such associations or federations thereof, and/or by and through a common agent created or selected by them.

Mr. MENGES. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MENGES. Mr. Chairman and gentlemen of the committee, a great deal has been said about the expenditure of the money that is appropriated in this bill. Let us look at these cooperative associations and see what they really mean. I do not know whether I believe in commodity cooperation or whether I do not, but suppose we take the commodity cooperative into consideration. We have throughout these United States cooperatives that are engaged in marketing the various commodities of their individual communities. They are engaged in marketing and sometimes in purchasing. For instance, take the dairy products. We have milk cooperatives; we have butter and cheese cooperatives. Then we have grain cooperatives, and we have meat cooperatives, and we have fruit cooperatives, and we have wool cooperatives, and pork cooperatives throughout these United States, and we have a great many others. Now, in order that these people might get a little information as to how they might best cooperate, it looks to me as if this \$225,000 can be expended to no better purpose than in order to get these cooperatives together and get them to market their products in a profitable way.

Another thing: You know that during the last few years we have been urged to do diversified farming. Diversified farming has been advocated as the remedy of a great many of our ills. I come from a community in which we have been doing diversified farming for the last two centuries. We follow a crop rotation. We produce wheat, and corn, and oats, and hay, and sometimes other products, and we follow these in rotation. Now, my friends, wherever you have that kind of diversified farming you have to have different markets; you have to have a cooperative for your grain; you have to have a cooperative for the milk that you produce; you have to have a cooperative for the vegetables that come into that rotation. And so a farmer who lives in a community in which there is diversified farming, as we have, it would be necessary that the farmer belong to several cooperative organizations, and in order that these might be so constituted that they can get the very best results out of them do you not see that it is necessary to have some one to tell them how? That is the idea, as I understand it, that prevails in this bill.

I stated a while ago that we follow crop rotations. I remember once attending a meeting called by a number of fellows to discuss crop rotation. I do not believe there was a single fellow there who knew how to rotate crops. And another thing, I do not believe there was a fellow there who knew why we rotate crops, and I do not know that there was a fellow there who knew what crop rotation should do for the farmer. Now, what should it do? It should put his soil in better condition the longer he farms it. That is what it is intended to do; and if it is rightly arranged, it will do it. I believe that crop rotation and diversified farming is one of the things that are going to come. We have used it, as I say, for two centuries.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MENGES. Mr. Chairman, may I have two or three minutes more?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. MENGES. I say we have followed that kind of diversified farming for two centuries. It has put the Pennsylvania farmer in the lead in the farming industry; it has made him the farmer of this Nation. [Applause.]

I belong to them, and I suppose I betray it. [Laughter.] I do not know how you like these statements, but I say it is a fact, and I believe that this diversified farming will have to come in every community. Why? In order to improve the fertility of our land. That is why. I believe the southern farmer will have to adopt it. I believe the wheat grower will have to adopt it. I believe the linseed grower will have to adopt it. Do not you see, my friends, that here is an avenue opening up of such proportions that this \$225,000 that is appropriated for carrying into effect this bill is a mere drop in the bucket in the benefits it will bring to the farmer in his cooperative efforts? [Applause.] I thank you, gentlemen.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 6. The Secretary of Agriculture may make such rules and regulations as may be deemed advisable to carry out the provisions of this act and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person; and may call upon any other Federal department, board, or commission for assistance in carrying out the purposes of this act; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law and make such expenditure for rent, outside the District of Columbia, printing, telegrams, telephones, books of reference, books of law, periodicals, newspapers, furniture, stationery, office equipment, travel, and other supplies and expenses as shall be necessary to the administration of this act in the District of Columbia and elsewhere, and there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$225,000, to be available for expenditure during the fiscal years 1926 and 1927, and the appropriation of such additional sums as may be necessary thereafter for carrying out the purposes of this act is hereby authorized.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. The last gentleman who spoke, I presume, is an orthodox Republican and a representative of this administration. I appreciate his candor. He says very frankly that this is a mere drop in the bucket to the farmer. I want to say to my Democratic friends that we had better take this drop in the bucket. It is about the only thing so far that this administration has seen fit to do for the farmer.

I can imagine some of my friends, including the chairman of the Committee on Agriculture, telling the distressed corn growers of Iowa to read section 6 of this bill and they will see how these good men went to their rescue in their great distress by authorizing the Secretary of Agriculture to call upon any department of the Government—he could have the War Department call out troops if necessary—to help him carry out the purposes of this bill.

I venture the assertion that there never has been any other law passed in the history of this Government where one Cabinet officer was given blanket authority to call upon any other department of the Government to help him carry out an act as is given in this bill. It may be necessary to permit him to call on the War Department to call out troops in order to conserve this one drop in the bucket, because it is liable to evaporate before it does the corn growers of Iowa any good.

I shall vote for the bill, Mr. Chairman, because if my friend from Iowa, whom I generally follow on these great agricul-

tural questions, should stand on the front steps of the Capitol and propose three cheers for the farmer it would be ungracious for those of us who represent the farmers not to join heartily in the cry, and, after all, that is the principal function of the bill, is it not? It is a gesture in the right direction; it does propose that which we all know, as practical men, is very necessary—the development of cooperative marketing in the United States. The \$225,000 is a mere drop in the bucket. I suspect, and I think the hearings will show, they expect to use \$50,000 of that amount in calling the leaders of the disgruntled farmers in Iowa to Washington before the next election, and they can give them \$10 a day for subsistence. I am glad some of those good old fellows are going to get to come to Washington. I appreciate that their anger and their resentment against the Iowa Republicans, against the Iowa candidate for Senator, and against this administration will be considerably ameliorated by the softening effect of taking a walk down historic Pennsylvania Avenue, meeting the great Secretary of Agriculture, and incidentally taking breakfast and having their picture taken with Cal, and then they will go back home, urged by these leaders, full of enthusiasm and realizing the necessity of saving the distressed farmers by voting the straight Republican ticket. [Applause.]

Mr. SPROUL of Kansas. Mr. Chairman, I rise in opposition to the pro forma amendment. It gives me sincere pleasure to indorse a national cooperative marketing bill, which has the hearty approval of the Secretary of Agriculture. This bill, in my judgment, has provisions which will sooner or later greatly assist agriculture throughout the country in realizing more money for the products of the farm.

The statistical data and agricultural information officially procured by our Government from the countries and markets of the world and presented to the agricultural people throughout the United States will unquestionably be used by them to their profit, and I look forward to the time when those engaged in agricultural pursuits will rely upon such information as to market demands and in diversifying and limiting their farm and livestock productions which, in itself, will augur greatly to the security of prices that will include profits for their labor and capital invested.

I also look forward to the time when there will be such management of cooperative marketing as will enable the farmer, through established agencies, to fix and receive such reasonable prices that the products of his farm and his labor will yield to him living profits, and I should expect such handling of excess crops and products from the farm in fully as economical and satisfactory a way as excess or surplus products of the factory are handled to-day.

I should like to see the day when the farmer can control the products of his labor and his farm so that he can realize reasonable and living profits out of his farm products and yet deliver them to the consumer at lower prices than are being paid to-day. These things will be realized by and through the developing of the cooperative marketing system.

I resent the assertion or claim that this bill is any more paternalistic than many other Federal laws. It is no more paternalistic than a law coercing a consolidation of railroads, thereby eliminating the time-honored economic idea that competition is the life of trade. It is no more paternalistic than granting money for an irrigation project. It is no more paternalistic than appropriating money for intercoastal canal improvements. It is no more paternalistic than to appropriate money for the purchase of the Cape Cod Canal. It is no more paternalistic than to appropriate money to pay salaries and expenses of representatives of American industries hunting markets in foreign countries. It is no more paternalistic than any kind of protective tariff legislation. In fact, it is just about as little paternalistic as any legislation can be relative to industry.

While this particular bill in its present form may not be as much or all that it should be to enable the agricultural people of the United States to satisfactorily perfect and operate their respective industries profitably to them, yet in my candid judgment, it is a long step in the right direction, and it meets with my hearty approval. [Applause.]

Mr. KVALE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to vote for this bill. I am going to shut my eyes and vote for it, hoping that in some way and somehow at some time it may do some little good for some people. If a bill were introduced here giving the farmer the right to use the multiplication table or granting him the privilege of making use of God's rain and sunshine, I suppose I would vote for such a bill. And it would do as much for the farmer as the bill under consideration. Oh, this innocent thing,

this spineless, sapless, lifeless, jellyfish substance, this milk-and-water, insipid, tasteless, odorless, colorless, harmless concoction! [Laughter.] Another Coolidge pink pill for pale farmers! [Laughter and applause.] For, mark you, it is an administration measure. We are told so by the press reports and by the chairman of the Committee on Agriculture. We are told that he has been visiting the White House and that the bill has received the approval of President Coolidge.

The Coolidge administration, including the Secretary of Agriculture and the best minds of the Republican Party, have talked and trembled and toiled for months and years, and lo and behold, the Haugen bill, H. R. 7893, is the product of all their labors. The old Greek philosopher told a fable about the mountain that trembled and was in travail and brought forth a mouse. The Coolidge administration has labored and brought forth, not a mouse—no; under certain conditions a mouse is quite an animal—the administration has labored and brought forth a microbe that feeds on the insect that nestles in the fur of the mouse. [Laughter and applause.]

We have here an appropriation of \$225,000. Divided equally among the 7,000,000 farmers of the country, that would amount to about 3 cents each.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. KVALE. Yes; I yield to the gentleman.

Mr. CONNALLY of Texas. Will the gentleman get 3 cents?

Mr. KVALE. Yes; I think just about 3 cents each.

Mr. CONNALLY of Texas. That is very liberal.

Mr. KVALE. Very liberal, indeed, and I would suggest that we call this the Coolidge 3-cent farm relief bill.

The average farmer out in the Northwest is \$5,000, \$10,000, or maybe \$15,000 poorer than he was five years ago, and here we magnanimously give him 3 cents. In cash? Oh, no; if it were cash, he could use it to write a letter of protest to his Government at Washington for the treatment he has received; but, no, it is 3 cents' worth of information. [Laughter and applause.] And what kind of information is it? Gentlemen, I ask, in all seriousness, what kind of information? Is this information to help the farmer, or is it to help the grain gambler and the speculator? In February, 1924, a good Republican from Kansas, the late Congressman Little, made a speech here in which he practically charged the Government of the United States, through its Agricultural Department, with having robbed the farmers of \$150,000,000 in one year because of the false information it had disseminated among the farmers. I am opposed to my Government disseminating that kind of information to the farmers of the Nation. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 7. That if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the act and the applicability of such provision to other persons and circumstances shall not be affected thereby, and nothing contained in this act is intended, nor shall be construed, to modify or repeal any of the provisions of the act of February 18, 1922 (chap. 57, 42 Stat. L. p. 388).

Mr. MOORE of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MOORE of Virginia: Page 6, line 13, after the parenthesis, strike out the period, add a comma, and the following words: "Except that there is hereby repealed the provision of said act as follows:

"Second. The association does not pay dividends on stock or membership capital in excess of 8 per cent per annum."

Mr. MOORE of Virginia. Mr. Chairman, I shall support this bill whether it is destined to accomplish much or little. I have long believed that the Agricultural Department is one of the most, if not so far as the mass of the people are concerned, the most valuable agency of the Government. It has been of almost incalculable advantage to the producer in the matter of rendering him assistance. It has been of advantage to the producer in assisting him in marketing his products, and I think this bill, while it is not an ideal bill, and it certainly does not fulfill promises which have been made, will be of service in further equipping the Department of Agriculture to assist in the matter of encouraging cooperative associations and enabling them to find a market for their products. But I respectfully submit—and I am talking now to the chairman of the committee and his associates—that in the particular I have suggested the bill should be amended.

It was in February, 1922, that there was enacted what is known as the Capper-Volstead Act. That act deals with cooperative associations. It put those associations under the jurisdiction of the Secretary of Agriculture to the extent of authorizing him to check any monopolistic tendency or the undue advance of prices. It goes further than that. It provides in substance that no such association shall be allowed to pay dividends on its stock or membership capital in excess of 8 per cent per annum.

The purpose of my amendment is to repeal that one provision of the Capper-Volstead Act and to permit farm associations to do what they are now forbidden to do. They may never be able to do it, but in some years an association which commonly earns little may in some years find it possible to go beyond the 8 per cent limit.

The question presented by the amendment, and which it is for us to vote upon, is whether, when you allow a banking association to proceed without any such limitation, or almost any other association, you are going to retain the restriction on cooperative agricultural associations.

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. MOORE of Virginia. Yes; I yield.

Mr. NEWTON of Minnesota. Of course, the Capper-Volstead Act amended the antitrust laws so as not to apply to them.

Mr. MOORE of Virginia. Exactly.

Mr. NEWTON of Minnesota. And as a part of that amendment they placed this prohibition or limitation upon earnings.

Mr. MOORE of Virginia. Yes.

Mr. NEWTON of Minnesota. Now, the effect of the gentleman's amendment would be to withdraw all limitation whatever and to do so at a time when there has been no consideration of his amendment on the part of any committee, and to bring the amendment here when it is really not germane to the bill itself.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. MOORE of Virginia. Replying to the gentleman from Minnesota, if my amendment is adopted all the provisions of the Capper-Volstead Act will remain in effect except the one to which the amendment is addressed. So far as the matter not having had consideration heretofore is concerned, the fact is that I considered it and discussed it with the chairman of the committee in charge of the Capper-Volstead bill when that bill was brought here.

He, for reasons, as I recall, incident to the legislative situation, thought it undesirable to modify the bill. It does not require long consideration, it does not require more than a minute, to see that the provision at which my amendment strikes is a discrimination against the agricultural interests of the country.

Mr. WINGO. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. WINGO. I have a case in my State where a few days ago a cooperative association declared a dividend in excess of 8 per cent. They had a large crop, and the bale charge received being larger, it produced a larger amount of revenue. The association charged the individual members the excessive price, but they paid it back to them in dividends greater than 8 per cent, and yet the association could not get the benefit of this law. Nobody would be affected but the members of the association if this amendment should be adopted. In practically every instance they distribute the excessive charges to their own members.

Mr. MOORE of Virginia. Our laws should be so drawn that there can be no misunderstanding.

Mr. WINGO. We do not limit the national banks.

Mr. MOORE of Virginia. No; we do not limit the national banks and other interests, and why should we limit the farmers? Gentlemen claim to be concerned about the farmers, and surely they should wish to avoid actual discrimination.

Mr. BURTNESS. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. BURTNESS. In these cooperative organizations the earnings that the gentleman is speaking of are distributed as dividends, and the total amount of the earnings returned on the capital stock, generally speaking, is of no particular bearing whatever, because in their organizations, as a general proposition, under their charter and the law under which they are chartered, they are absolutely limited to a reasonable per-

cent on the capital stock, in so far as the distribution of dividends are concerned, and the Capper-Volstead Act does not limit the cooperative producers, in so far as the patronage dividends are concerned.

Mr. MOORE of Virginia. There is nothing about patronage dividends in the act. It is a plain provision that is evaded if dividends in excess of 8 per cent are declared.

The CHAIRMAN. The time of the gentleman from Virginia has expired. The question is on the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. MOORE of Virginia) there were 43 ayes and 90 noes.

So the amendment was rejected.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WINGO rose.

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. I rise to move to strike out the last word and ask for five minutes.

Mr. HAUGEN. Mr. Chairman, I will withdraw my motion and I ask unanimous consent that all debate on this section of the bill be limited to five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section of the bill be limited to five minutes. Is there objection?

There was no objection.

Mr. WINGO. Mr. Chairman, I appreciate the courtesy of my distinguished friend the statesman from Iowa. I did not want to let the opportunity pass of calling to your attention that just now you have had a chance to see how the Republican Party discriminates against the farmer. My friend from Virginia [Mr. MOORE] offered an amendment the effect of which was to take away the limitation that is now the law on cooperative market associations earning more than 8 per cent. The Republican Party, under the lead of the distinguished statesman the gentleman from Iowa [Mr. HAUGEN], says, "No; the farmer must be held down." What did you do when it came to the packers? Did you undertake to limit the profits of the packers? Oh, no; when one concern under the beneficial control of the Secretary of Agriculture in its annual statement shows that it earned a great deal more than that you did not hear any protest from the gentleman from Iowa against the enormous profits of that firm. But when there is a proposition that the cooperative farm market associations be permitted to earn more than 8 per cent, immediately the Republican Party in this House rises as a body and says, "Oh, no; we have to protect the consumer against the extortionate demand of the farmer, the corn growers of the West." [Laughter.]

You are going to limit his cooperative association, but the packers can play it to the limit. They can pay the cattle growers a small price for their products and make large profits. Oh, no; you will never curtail that. If I were to propose an amendment to limit these packers under the packers' act to 8 per cent dividends, the distinguished statesman from North Dakota [Mr. BURTNESS], who is now on his feet seeking to interrupt me, would charge me with being a socialist and say that I was trying to hamstring private enterprise! [Applause and laughter.] Oh, truly, it makes a difference whose ox is gored. The Republican Party, true to its principles, takes care of big business and big manufacturers; and as for the poor farmer, it gives him about 3 cents' worth of advice, as some one has very well said here in respect to this bill.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Oh, no; I can not yield, because I want to ask the chairman of the committee a few questions for information in the closing hours of this proceeding. When are we going to get "the something else" that the Secretary of Agriculture has promised? When are you going to bring in the farm relief bill? When are you going to quit playing politics with the farmers of Iowa? When are you going to do with a practical bill for him what you have done for the manufacturers of New England? When are the Republican farmers of Iowa going to quit being made by the Republicans the tail to the New England bull? When are the Republicans going to do something for the agricultural interests of this Nation, besides spending \$225,000 a year to give them a little bit of advice? I again ask the gentleman from Iowa, when are you going to bring in your farm relief bill?

Mr. HAUGEN. The committee will do its very best to bring it in at the earliest possible opportunity. [Laughter.]

Mr. WINGO. When will that be? And what kind of a bill will it be? Are you going to bring in such a bill as the

President wants, or are you going to bring in such a bill as the Secretary of Agriculture wants? Which side of that dispute is your committee going to take?

Mr. HAUGEN. If the gentlemen on his side of the aisle will assist us—

Mr. WINGO. Oh, we have always assisted you and the records of this House will show it. [Applause and laughter.]

Mr. HAUGEN. If you are going to filibuster and act as you gentlemen on that side of the aisle have in the past, I can not give the gentleman any assurance. [Laughter and applause.]

Mr. WINGO. Oh, the records of this House show that we have always helped the gentleman. You Republicans have a majority on that side, and still you plead you are impotent. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. Begg, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee had had under consideration the bill (H. R. 7893) to create a division of cooperative marketing in the Department of Agriculture, etc., and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question upon the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any of the amendments? If not, the Chair will put them en gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. KINCHELOE. Mr. Speaker, I demand a division.

Mr. KNUTSON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 361, nays 3, answered "present" 1, not voting 65, as follows:

[Roll No. 21]

YEAS—361

Abernethy	Burness	Elliott	Hawley
Adkins	Burton	Ellis	Hayden
Aldrich	Busby	Eslick	Hersey
Allen	Byrns	Esterly	Hickey
Allgood	Campbell	Evans	Hill, Ala.
Almon	Canfield	Faust	Hill, Md.
Andresen	Cannon	Fenn	Hill, Wash.
Appleby	Carew	Fisher	Hoch
Arentz	Carpenter	Fitzgerald, Roy G.	Hogg
Arnold	Carss	Fitzgerald, W. T.	Holaday
Aswell	Carter, Okla.	Flaherty	Hooper
Auf der Helde	Chalmers	Fletcher	Houston
Ayres	Chapman	Fort	Howard
Bacharach	Chindblom	Foss	Huddleston
Bachmann	Christopherson	Frear	Hudson
Bailey	Clague	Fredericks	Hudspeth
Bankhead	Cleary	Freeman	Hull, Morton D.
Barbour	Cole	French	Hull, William E.
Barkley	Collier	Frothingham	Irwin
Beck	Colton	Fulmer	Jacobstein
Beedy	Connally, Tex.	Funk	James
Beers	Connery	Furlow	Jeffers
Begg	Connolly, Pa.	Garber	Jeffkins
Bell	Cooper, Ohio	Gardner, Ind.	Johnson, Ill.
Bixler	Cooper, Wis.	Garner, Tex.	Johnson, Ind.
Black, N. Y.	Cox	Garrett, Tex.	Johnson, Ky.
Black, Tex.	Coyle	Gasque	Johnson, S. Dak.
Bland	Cramton	Gibson	Johnson, Tex.
Blanton	Crisp	Gifford	Johnson, Wash.
Bloom	Crowther	Gilbert	Jones
Boies	Cullen	Glynn	Kearns
Bowles	Curry	Goldsborough	Keller
Bowling	Darrow	Goodwin	Kelly
Bowman	Davenport	Green, Fla.	Kemp
Box	Davis	Green, Iowa	Kerr
Boylan	Dempsey	Greenwood	Ketcham
Brand, Ga.	Denison	Griest	Kincheloe
Brand, Ohio	Dickinson, Mo.	Hadley	King
Briggs	Dickstein	Hale	Knutson
Brigham	Dominick	Hall, Ind.	Kopp
Britten	Doughton	Hammer	Kunz
Browne	Dowell	Hardy	Kurtz
Browning	Drane	Harc	Kvale
Brumm	Drewry	Hastings	LaGuardia
Buchanan	Driver	Haugen	Lampert
Bulwinkle	Dyer	Hawes	Lanham
Burdick	Edwards		Lankford

Larsen	Montgomery	Romjue	Tillman
Lazaro	Moore, Ky.	Rouse	Tilson
Lea, Calif.	Moore, Ohio	Rowbottom	Timberlake
Leatherwood	Moore, Va.	Rubey	Tolley
Leavitt	Morehead	Rutherford	Treadway
Lee, Ga.	Morgan	Sabath	Underhill
Leibach	Morin	Sanders, N. Y.	Underwood
Letts	Morrow	Sanders, Tex.	Updike
Lindsay	Murphy	Sandlin	Upshaw
Lineberger	Nelson, Me.	Schafer	Vare
Linthicum	Nelson, Mo.	Shallenberger	Vestal
Little	Newton, Minn.	Shreve	Vincent, Mich.
Lowrey	Newton, Mo.	Simmons	Vinson, Ga.
Lozler	Norton	Sinnot	Voigt
Luce	O'Connell, N. Y.	Smith	Wainwright
McClintic	O'Connell, R. I.	Smithwick	Walters
McDuffie	Oldfield	Somers, N. Y.	Wason
McFadden	Oliver, Ala.	Speaks	Watres
McKeown	Oliver, N. Y.	Sproul, Ill.	Watson
McLaughlin, Mich.	Parker	Sproul, Kans.	Weaver
McLaughlin, Nebr.	Parks	Stalk	Welfald
McMillan	Patterson	Stegall	Welsh
McReynolds	Peavey	Stedman	Wheeler
McSweeney	Peery	Stephens	White, Kans.
MacGregor	Perlman	Stevenson	Whitehead
Madden	Phillips	Stobbs	Whittington
Magee, N. Y.	Prall	Strong, Pa.	Williams, Ill.
Magee, Pa.	Pratt	Summers, Wash.	Williams, Tex.
Magrady	Purnell	Swank	Williamson
Major	Quin	Swartz	Wilson, La.
Manlove	Ragon	Sweet	Wilson, Miss.
Mansfield	Ramsey	Swing	Wingo
Mapes	Ransley	Swoope	Winter
Martin, La.	Rankin	Taylor, Colo.	Wolverton
Martin, Mass.	Ransley	Taylor, N. J.	Wood
Mead	Rathbone	Taylor, Tenn.	Woodruff
Menges	Rayburn	Taylor, W. Va.	Woodrum
Merritt	Reece	Temple	Wright
Michaelson	Reed, Ark.	Thatcher	Wurzbach
Michener	Reed, N. Y.	Thayer	Yates
Miller	Reid, Ill.	Thomas	Zihlman
Milligan	Robinson, Iowa	Thompson	
Mills	Robison, Ky.	Thurston	
Montague	Rogers		

NAYS—3

Andrew Tucker Tydings
ANSWERED "PRESENT"—1
Summers, Tex.

NOT VOTING—65

Ackerman	Free	Lyon	Sosnowski
Anthony	Fuller	McLeod	Spearing
Bacon	Gallivan	McSwain	Strong, Kans.
Berger	Gambrill	Mooney	Strother
Butler	Garrett, Tenn.	Nelson, Wis.	Sullivan
Carter, Calif.	Golder	O'Connor, La.	Taber
Celler	Gorman	O'Connor, N. Y.	Tincher
Collins	Graham	Porter	Tinkham
Crosser	Griffin	Pou	Vaile
Crumpacker	Hall, N. Dak.	Quayle	Vinson, Ky.
Davey	Harrison	Schneider	Warren
Deal	Hull, Tenn.	Sears, Fla.	Weller
Dickinson, Iowa	Kahn	Sears, Nebr.	White, Me.
Douglass	Kendall	Seger	Wyant
Doyle	Kiefner	Sinclair	
Eaton	Kiess	Snell	
Fairchild	Kindred		

So the bill was passed.

The Clerk announced the following pairs:

Mr. Strong of Kansas (for) with Mr. Summers of Texas (against).

General pairs:

Mr. Ackerman with Mr. Kindred.
Mr. Butler with Mr. Pou.
Mr. Free with Mr. Gallivan.
Mr. Anthony with Mr. Weller.
Mr. Wyant with Mr. Sears of Florida.
Mr. Graham with Mr. Harrison.
Mr. Hall of North Dakota with Mr. Garrett of Tennessee.
Mr. Kiefner with Mr. Hull of Tennessee.
Mr. Mills with Mr. Quayle.
Mr. Snell with Mr. Warren.
Mr. Taber with Mr. Mooney.
Mr. Gorman with Mr. Sullivan.
Mr. Fuller with Mr. Lyon.
Mr. Kendall with Mr. Vinson of Kentucky.
Mr. McLeod with Mr. Spearing.
Mr. Kiess with Mr. O'Connor of New York.
Mr. Sosnowski with Mr. Crosser.
Mr. Bacon with Mr. Douglas.
Mr. Tincher with Mr. Griffin.
Mr. White of Maine with Mr. Deal.
Mr. Dickinson of Iowa with Mr. Gambrill.
Mr. Porter with Mr. Celler.
Mr. Seger with Mr. Davey.
Mr. Sinclair with Mr. O'Connor of Louisiana.
Mr. Eaton with Mr. McSwain.
Mr. Crumpacker with Mr. Collins.
Mr. Perkins with Mr. Doyle.
Mr. Taylor of Tennessee with Mr. Berger.
Mr. Golder with Mr. Nelson of Wisconsin.
Mr. Fairchild with Mr. Schneider.

Mr. CARTER of California. Mr. Speaker, I desire to vote aye.

The SPEAKER. Was the gentleman present when his name was called?

Mr. CARTER of California. I am afraid I was not.

The result of the vote was announced as above recorded.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATION BILL

Mr. MAGEE of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8264) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1927, and for other purposes, and, pending that motion, in view of the numerous requests for time and the desire of the committee to accommodate Members of the House so far as we reasonably can, I ask unanimous consent that the time for general debate be controlled one-half by the gentleman from Texas [Mr. BUCHANAN] and one-half by myself.

The SPEAKER. The gentleman from New York asks unanimous consent that the time for general debate upon this bill be controlled equally, one half by himself and the other half by the gentleman from Texas [Mr. BUCHANAN]. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8264, with Mr. TREADWAY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8264, the Agricultural appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8264) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1927, and for other purposes.

Mr. MAGEE of New York. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The motion was agreed to.

Mr. MAGEE of New York. Mr. Chairman and members of the committee, I desire to express my appreciation of the hearty cooperation of all the members of the subcommittee during the hearings and in the drafting of this bill. The committee appreciates the efficient work of Mr. Sheild, clerk of the Committee on Appropriations, and of Mr. Barta, clerk of the subcommittee.

I feel that it is only just to refer particularly to the invaluable services of the ranking minority member [Mr. BUCHANAN] in the preparation of this bill. The country is to be congratulated upon having upon the committee a member so watchful, so alert, and so strongly persistent in making reasonable provision for agricultural purposes. In my judgment the district that sends him here is entitled to public commendation.

In presenting the agricultural appropriation bill for the fiscal year 1927 I desire to call attention briefly to some of the more important items in the bill. The report accompanying this bill gives in detail the action of the committee with respect to the activities of the various bureaus and offices of the Department of Agriculture. Almost a thousand pages of hearings give additional information, and during the consideration of this measure under the five-minute rule I shall be glad to answer any question relating thereto.

The appropriations recommended in the accompanying bill may be separated into two distinct classes—first, the aggregate of the amounts recommended for the Department of Agriculture proper; and, second, the sum recommended for the construction of roads under the provisions of the Federal highway act. With this distinction in mind I call attention to the sum of \$46,770,805 recommended to be appropriated for 1927 for the Department of Agriculture proper. Compared with the appropriation of \$45,734,441 for the current fiscal year, it represents an increase of \$1,036,364; and compared with the total of the estimates for 1927, aggregating \$44,816,508, it represents an increase of \$1,954,297. The increases in each instance are set forth in the tabulation found at the end of the report accompanying the bill. A total of \$80,000,000 is recommended for road-construction work under the provisions of the Federal highway act for the fiscal year 1927, which sum corresponds with the appropriation for the current year, but is \$5,000,000 less than the Budget estimate. I propose to discuss these appropriations in detail later on.

Under the office of the Secretary of Agriculture the committee recommends that \$35,000 of the appropriation for miscellaneous expenses of the Department of Agriculture be made immediately available for the purchase of additional land for

experimental purposes adjoining the experimental farm near Beltsville, Md. This land adjoins on the east and south the present animal-husbandry farm and consists of 1,062½ acres, of which about 250 acres are open pasture and tillable land, 450 acres pasture and brush land, and 362 acres woodland. The average cost per acre of approximately \$32.95 is reasonable, and we believe that the department should exercise its option of purchase, which expires June 30, 1926.

Under the Bureau of Animal Industry the committee recommends an appropriation of \$4,103,000 for the eradication of tuberculosis. Of this sum it is proposed that \$975,000 shall be used for operating and administrative expenses, and the remainder, \$3,128,000, for the payment of indemnities. Of this latter sum the committee recommends that \$200,000 be made immediately available. I presume that every Member of this body has received one or more communications relating to this appropriation. The committee went into this matter thoroughly, having before it not only the representatives of the Department of Agriculture, but representatives of various States and of organizations interested in this work. The demands of some were extravagant, to say the least, for they urged an appropriation of \$6,000,000 for this purpose. Realizing the pressure which would be brought to bear upon the membership of this House, the committee considered this appropriation very carefully, and after consultation with Doctor Mohler, Chief of the Bureau of Animal Industry, recommended the sum of \$3,128,000 for the payment of indemnities. This sum, of which \$200,000 is made immediately available, will be sufficient to meet the reasonable requirements of the next fiscal year. To my mind this work is primarily a matter for the States and counties thereof. I think that the object of the Federal Government in all cooperative activities with the States should be to encourage such activities by bearing a portion of the expense and in furnishing the expert knowledge and assistance required, but in no sense to contribute in any fixed ratio which would require indeterminable appropriations in the future on the part of the Federal Government and tend to concentrate increasing power in Federal bureaus. Let me call your attention to the rate of expansion in the appropriation relating to the eradication of tuberculosis. This work was initiated in 1918 with an appropriation by the Federal Government of \$75,000. That year 134,143 cattle were tested, of which 6,544, or 4.9 per cent, were found tubercular. For the last completed fiscal year, 1925, the Federal Government appropriated \$3,560,000. A total of 7,000,000 cattle were tested, of which 214,491, or 3.1 per cent, were found tubercular. The decrease in the per cent of tuberculous cattle indicates the value of the work.

I also call attention to appropriations under the Bureau of Entomology used to prevent the spread or eradication of injurious insects. The first appropriation is that for the gypsy moth. The committee recommends for this purpose for the fiscal year 1927 the sum of \$670,000. A portion of the appropriation for 1926 was made immediately available, and the recommendation of the committee for the ensuing fiscal year provides a sum equal to that which will be expended in 1926. This sum is \$70,000 in excess of the Budget estimate. The gypsy moth practically defoliates the trees it attacks, and the Federal Government is at present maintaining a strict quarantine along the eastern edge of the State of New York to prevent its spread into the Adirondack and Catskill Mountains, where extermination would be virtually impossible. Insect parasites have been introduced in the infested regions and give promise of being able to control this pest in the near future, but until that time the Federal Government must aid in its control. The States affected by this insect during the calendar year 1924 expended over \$771,000 in this work.

For the prevention of the spread of the European corn borer the committee recommends an appropriation of \$485,000 for 1927. This sum is \$101,370 more than the appropriation for 1926 and \$60,000 more than the Budget estimate. Of the sum recommended to be appropriated the Department of Agriculture proposes to expend \$55,000 for fundamental research in the United States and \$35,000 for research work relating to the introduction of enemy parasites of the corn borer. In some parts of Canada the activities of the corn borer have resulted in a total loss as far as the corn crop is concerned, and it is to prevent any such occurrence in the United States that the committee recommends this large sum. No methods of control of the insect have been devised, and no parasites have been introduced as yet, but by granting sufficient funds a strict quarantine may be enforced, prohibiting long-distance spread through the transportation of farm products. Already the States in the Corn Belt are considering the establishment of quarantines against products coming from the infested regions of the United

States, the State of Iowa having but recently placed an embargo into effect.

The Japanese beetle is another insect pest causing great damage to truck crops, deciduous trees, and so forth, and is found in an area consisting of approximately 6,047 square miles in Pennsylvania and New Jersey, of which 1,000 square miles were infested during the past year. The committee recommends an appropriation of \$280,000 for the control of this beetle for the ensuing fiscal year, which sum is \$40,000 in excess of the Budget estimate, but equals the amount available for 1926. Operations under this appropriation will include (1) research work, which consists of thoroughgoing biologic studies of the beetle and the development of insecticides, and (2) control work, which includes the inspection and certification of farm products. An insecticide known as "geraniol" has been developed, which because of its odor attracts the beetle, but additional investigations and experiments are necessary to determine definitely the value of this insecticide, and until some satisfactory means of control are developed the committee is of the opinion that sufficient funds should be provided to confine the insect to as small an area as possible.

I wish to discuss an appropriation which for several years has been the cause of much debate on this floor. I refer to the appropriation for the market news service. Through the cooperation of Mr. Tenny, of the Bureau of Agricultural Economics, and his assistants the committee has recommended an appropriation which will meet the needs of the livestock centers in the eastern United States. The committee considered very carefully this appropriation, and in recommending the sum of \$765,150 has exceeded the Budget estimate in the sum of \$110,402 and the appropriation for the current fiscal year by \$45,402. The increase of \$45,402 is to be used for two purposes, the first being \$18,000 to provide for monthly production reports on butter, cheese, and condensed milk. Quarterly reports are now being made, which to say the least are quite unsatisfactory; and inasmuch as the value of dairy products on the farm during the calendar year 1924 was in excess of \$2,500,000,000, the committee believes that monthly reports will be of great benefit to those engaged in the production and handling of these products.

The second purpose for which the remainder of the increase is recommended is to provide for the extension of the leased-wire service. It is proposed that this sum of \$27,402, together with such other sums as may be obtained through a reorganization of the work by the Bureau of Agricultural Economics, be expended to provide Ames, Iowa, Oklahoma City, Indianapolis, Cincinnati, Cleveland, Pittsburgh, and Buffalo with initial leased-wire market-news service. This sum is sufficient to extend the leased wire, provide for operators, and so forth, but does not take into consideration any incidental expenses, such as office rent, telephone, or clerical expenses. It is the understanding of the committee, however, that because of the alleged necessity for this service in the cities mentioned local agencies interested will provide whatever may be needed along this line. If any city fails to provide this aid, the committee recommends that the Bureau of Agricultural Economics use any funds allotted to such city in supplementing the work of other cities that are sufficiently interested to provide for the expenses incident to the establishment of this service.

I have discussed those items which, to my mind, are of outstanding importance in so far as the appropriations for the Department of Agriculture proper are concerned, and I now invite your attention to the appropriations for road-construction purposes.

First I will comment on the appropriations for the construction of forest roads and trails. From a legal standpoint the entire cost of these roads should be borne by the Federal Government, although there is at present some cooperation with local agencies, for which we are thankful. This work in the national forests may be divided into three parts: First, the construction of State or primary highways, furnishing a means for transcontinental or through travel, connecting up with the various State highways, and necessary to benefit the greatest amount of traffic; second, the construction of forest highways connecting up with county and community highways, which roads are of secondary importance, benefiting but the local residents; and third, the construction of forest roads and trails to be used in the development of the national forests, which roads are used primarily in the logging operations and as an aid in forest protection. I have set forth these three lines of work to indicate in what manner the appropriations are being expended.

The Forest Service is charged with the responsibility of constructing these roads, and yet it will be seen that but one line of work really applies to the forests and their development. All the work is carried on in cooperation with the Bureau of

Public Roads, which is charged with the administration of work under the Federal aid highway system, and to my mind the Bureau of Public Roads should be charged with the construction of State and county roads through the national forests, leaving to the Forest Service the responsibility of designating and constructing only those roads and trails necessary in the development of the national forests. I can see no necessity for two separate organizations engaged in the same work requiring two separate appropriations. One appropriation charged to the Bureau of Public Roads, and the responsibility lodged in that bureau, should be sufficient to carry out the purposes of the Federal aid highway system through the various States and the national forests.

I feel it is my duty to discuss briefly what appear to me to be excessive expenditures on the part of the Federal Government in the construction of forest roads and trails in the national forests. These expenditures, beginning with the fiscal year 1917, were as follows:

1917	\$28,750
1918	167,406
1919	548,765
1920	1,491,341
1921	1,215,170
1922	1,583,822
1923	6,643,148
1924	8,562,456
1925	9,835,609
1926 (estimated)	11,012,213

From the foregoing it will be seen that the Federal Government has been exceedingly generous in making provision for this work, and my own opinion is that future acts authorizing appropriations for the construction of forest roads and trails should be confined to development roads and trails only. I call attention to a statement made by the Chief of the Forest Service on page 743 of the hearings, to wit:

Now as the essential point in this item, Mr. Chairman, I would just like to make this observation. You have expressed one very positive viewpoint as to the rate at which Federal roads should be constructed in the national forests; a perfectly meritorious viewpoint with all sorts of strong arguments behind it. On the other hand, you have to appreciate we are under constant pressure from Representatives in Congress from the national forest States to build these roads to the full extent Congress has authorized us to build them, and I do not think that the committee can expect, after Congress has definitely said, "You can obligate so much money to build roads; you can enter into contracts to pay that money at some future date," I do not think that the committee can expect a Federal bureau, charged with the administration of the property and under a tremendous pressure from the Western delegations here to build these roads—you can not expect us to hold up at a rate appreciably less than the authorization.

I am not speaking in criticism of anyone, but simply expressing my personal views in the premises as to the course I think should be pursued in the public interest.

I direct your attention to the appropriations and expenditures incident to carrying out the provisions of the Federal aid highway act. The legal limit to which the Federal Government may cooperate with the States in the construction of primary highways is 50 per cent of the cost, and the average to date has been approximately 43 per cent. This is because of the increased activities of the States as compared with Federal funds made available. I think that the Federal Government in this work has been making excessive expenditures, which beginning with the fiscal year 1917 were as follows:

1917	\$34,337.85
1918	574,816.30
1919	2,915,282.76
1920	20,340,774.24
1921	57,462,768.07
1922	89,946,603.64
1923	71,604,708.75
1924	80,447,823.78
1925	97,472,506.13
1926 (estimated)	92,500,000.00

It will be seen that for the last four completed fiscal years the expenditures have averaged annually nearly \$85,000,000, yet the acts authorizing appropriations for the last three years have authorized annual appropriations of only \$75,000,000. I call attention to these large Federal expenditures at this time for the reason that we are now making appropriations pursuant to the last authorizations of the Congress in the premises. We shall soon be called upon to enact legislation providing for further authorizations, and it does seem to me that a maximum annual expenditure ought to be fixed not in excess of \$75,000,000, which should include sums for the Federal highway system and for the construction of forest roads and trails of primary importance, to be expended under the direction of the Bureau of Public Roads.

At the end of this session of Congress there will remain to be appropriated under the acts authorizing appropriations for this purpose the sum of \$98,800,000. As above indicated, annual expenditures are now materially in excess of \$90,000,000. Appropriations for the fiscal year 1926 for the Federal aid highway system aggregate \$98,900,000, to wit, \$76,000,000 carried in the agricultural act for the fiscal year 1926, and a supplemental estimate of \$22,900,000 now pending before the subcommittee on deficiency appropriations.

This enormous annual expenditure for the Federal aid highway system and for the construction of forest roads and trails is, in my judgment, unwarranted and too heavy a burden upon the taxpayers of the country. The Federal Government should be materially relieved and the States assume more responsibility in road construction.

We appear unable to find any money for the construction of much-needed Federal buildings in different sections of the country, where post-office employees have been working for years under insanitary and intolerable conditions. We do not seem to be able to find moneys for the construction of a Bureau of Internal Revenue building in the District of Columbia, to preserve tax records involving billions of dollars. The time has come, in my opinion, when some reasonable limit should be placed on the maximum expenditure of the Government for the Federal aid highway system and for the construction of roads and trails, many of them, in my opinion, absolutely useless, on the tops of mountains in the national forests.

I am very strongly opposed to the constant centralization of increased powers in the bureaus in Washington. I am a thorough believer in local self-government and in the States carrying their full responsibility in matters directly affecting their welfare. [Applause.] We should not permit our actions to be influenced by propagandists who denounce in one breath bureaucratic government and in the next breath demand largely increased appropriations, to be expended by Federal bureaus. [Applause.]

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. SUMMERS of Washington. Does the gentleman think it is the function of a State to construct a national forest road for the protection of the forests. For instance, in a case like this, where a fire is discovered—

Mr. MAGEE of New York. Let me answer the gentleman's question. In my statement, I said it was the duty of the Government.

Mr. SUMMERS of Washington. The gentleman said they were constructed on the top of mountains where, in the gentleman's opinion, they were absolutely worthless, as I understood the gentleman.

Mr. MAGEE of New York. Many of them.

Mr. SUMMERS of Washington. I want to state an instance where it takes four days for a man to reach a fire in the national forest after it was discovered. Does not the gentleman think that it is a good idea to have some way of getting at it to protect a forest which requires centuries to grow?

Mr. MAGEE of New York. My notion is we have to be reasonable in these matters.

Mr. SUMMERS of Washington. That is my idea.

Mr. MAGEE of New York. When you come to protect 157,000,000 acres of national forests—

Mr. SUMMERS of Washington. We expend how much annually, may I ask, in the way of protecting roads and utilizing them?

Mr. MAGEE of New York. I put this all in the RECORD. It is estimated this year that the expenditures will be over \$11,000,000.

Mr. SUMMERS of Washington. That is where roads cross through national forests, for roads and trails for the protection and utilization of the national forests, which embraces 157,000,000 acres, equivalent to 13 States beginning at Maine and extending down to North Carolina, national forests which take centuries to grow.

It does not mean very much to anybody in particular, but it means a great deal to the Nation as a whole. Now, I want to ask the gentleman one other question. Where a large national forest extends across a State, and a State highway has to cross that, does he not feel that there is some obligation on the part of the National Government in that case, since these lands, of course, are not on the tax roll, pay no taxes to the State, but still as a means of communication from one part of the State to another part and one part of the United States to another, the highways must be constructed across them? I know the gentleman wants to be perfectly fair.

Mr. MAGEE of New York. Yes. Now that the gentleman has gone into it, let me refer to the hearings, which perhaps will illustrate just what I mean. If you will refer to the hearings, on page 738, you will find the following:

Mr. MAGEE. So that the primary purpose of the construction of these roads and trails in the forests of the United States is for the administration, protection, and development of the national forests. Is that right?

Colonel GREELEY. Yes, sir; and for the facilitation of public travel.

Mr. MAGEE. Oh, yes; what public travel there might be. How many acres of forests have you?

Colonel GREELEY. Approximately 158,000,000 acres.

Mr. MAGEE. Well, I suppose you have some very large forests?

Colonel GREELEY. Oh, yes.

Mr. MAGEE. What is the largest forest?

Colonel GREELEY. Well, the administration—

Mr. MAGEE. No; I mean in area, or acres.

Colonel GREELEY. The largest is the Tongass National Forest in Alaska, which runs up to about 16,000,000 acres.

Mr. MAGEE. Well, we won't get into the Territories, but take the continental United States; take the largest one in the United States.

Colonel GREELEY. Approximately two and a half million acres.

Mr. MAGEE. Now, what would be the distance, say, the width or length, of that forest, on the average?

Colonel GREELEY. Of course, the size of these areas varies in every conceivable way.

Mr. MAGEE. I am taking the largest one.

Colonel GREELEY. Take the forest of which I was supervisor for a number of years, in California.

Mr. MAGEE. Is that the largest one?

Colonel GREELEY. It is one of the largest. It runs north and south along the backbone of the Sierra Range approximately 150 miles; east and west on the two slopes of the range and intervening valleys an average of 30 to 40 miles. That is more or less a typical situation.

Now, turn to page 740. I read:

Colonel GREELEY. This national forest I am speaking of—just to take as an illustration—that very forest contains six or seven communities back in the forest—agricultural, livestock, or mining communities. They have to have roads.

Mr. MAGEE. Do they contribute anything to those roads?

Colonel GREELEY. They help.

Mr. MAGEE. Now, what population have you in those six communities?

Colonel GREELEY. Those all happen to be small towns.

Mr. MAGEE. Well, what is the population of them? Let us get at it.

Colonel GREELEY. A population, all told—perhaps they would average 100 people each.

Mr. MAGEE. That should be 600 people?

Colonel GREELEY. Yes. Then you have to have, in that particular forest—

Mr. MAGEE. They have to have a fine road to travel over to get out of the heart of this forest?

Colonel GREELEY. They have to have some road to travel on.

Mr. MAGEE. Surely.

Colonel GREELEY. They have to have a road adapted to the amount of traffic that goes over it.

Mr. MAGEE. What did they travel over before you got in there and built these fine roads?

Colonel GREELEY. Aside from that, there is a very large river system, the Kern River—

Mr. MAGEE. Let us get this point: What did they travel over before you got in there to build these fine roads?

Colonel GREELEY. They had roads of a fashion in most cases.

Mr. MAGEE. Trails?

Colonel GREELEY. Trails in some instances, and old pioneer roads.

Mr. MAGEE. Such as the farmers have in agricultural districts throughout the country to-day, where what we call good roads have not been constructed.

Colonel GREELEY. They are not equal—they are very far from being equal—to the roads developed in the agricultural districts, because this is a rough, mountainous country.

Mr. MAGEE. You can find dirt roads anywhere in this country to-day, especially in the North and West, that are practically impassable at certain seasons of the year, can't you?

Colonel GREELEY. Certainly.

Mr. MAGEE. Where the wagons sink up to the hubs, almost.

Now, I am not talking about protecting the national forests. I am not talking about building connecting roads; that is, where a primary or main highway extends to one side of the forest and a main highway reaches the forest from the other side, to build a road through; but I am calling the attention of the House and of the country, as chairman of this subcommittee, as I feel it my duty to do, to the fact that they are

squandering millions of dollars in these excessive appropriations for the construction of roads and trails everywhere. My contention is that it is time the country knew of these expenditures. If the taxpayers want to do it, all right. I think the Members of the House ought to know it.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield further?

Mr. MAGEE of New York. Yes.

Mr. SUMMERS of Washington. In regard to this testimony that the gentleman has quoted extensively, the gentleman referred repeatedly to the "fine roads" that we were building. Colonel Greeley said they were not fine roads, and were not equal to those constructed in the agricultural sections. I do not think the gentleman can make a case against those roads by referring to them in that way.

Mr. MAGEE of New York. I am not trying to make any case at all. I am calling the attention of the House and of the country to the facts.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. LAZARO. The gentleman is making the statement that the committee has recommended less than the Budget Bureau asked for?

Mr. MAGEE of New York. Yes.

Mr. LAZARO. How much did they estimate?

Mr. MAGEE of New York. The Budget recommended \$80,000,000, and we recommended \$75,000,000.

Mr. LAZARO. What was the request of the Bureau of Public Roads?

Mr. MAGEE of New York. I will explain that. Under the policy of the House, as it appears to have been fixed in 1923, it does not make any difference whether you carry in this appropriation bill \$100,000,000, or \$80,000,000, or \$60,000,000, providing you have enough money to meet the obligations of the Government. In other words, the Bureau of Public Roads enters into the contract authorizations, and we appropriate to meet the obligations of the Government as they accrue. That, I think, is an economical policy. All we need to provide for in this bill is sufficient money to meet the obligations of the Government as they fall due, and that we have done.

Mr. LAZARO. Then the gentleman feels absolutely sure that the Federal Government will be able to meet its part of the obligation in the building of these roads?

Mr. MAGEE of New York. Yes. The hearings show that. That is our understanding. We provide sufficient money, and more, to run until March 4, 1927.

Mr. ARENTZ. Mr. Chairman, will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. ARENTZ. The gentleman referred to mountain trails, where they are unnecessary and where they will do little or no good?

Mr. MAGEE of New York. Yes.

Mr. ARENTZ. It seems impossible for the committee to talk the Chief Forester into the idea of building roads only where they are serviceable and omitting their construction where they are not. There are forests containing saw logs and others containing no saw logs or very little timber of any kind. I know sections in the State of Nevada where roads and trails are built through forest reserves, where there is no danger of a fire starting except in the sagebrush, and yet, instead of placing that money in the development of water and so forth, the money is put into roads and trails through forests, on tops of mountains, and in places where they do absolutely no good. I am glad to bring that point to the attention of the chairman of the committee.

Mr. MAGEE of New York. Yes.

Mr. ARENTZ. Can the gentleman tell me what is the cost of the propaganda that is being spread broadcast throughout the United States to inculcate in the minds of men and women throughout this eastern country the idea that this great area of forest reserves is not the proper place on which to range cattle or sheep?

Mr. MAGEE of New York. No. I know nothing about that.

Mr. ARENTZ. I could enlighten you on that.

Mr. MAGEE of New York. And, further, I will say to the gentleman from Nevada that I am giving only my personal view, and I represent nobody but myself; but I am giving my views fearlessly to the House, because I believe it is my duty to do so. I believe in Federal aid in the construction of highways and in the development of our national forests; but the point I am making is that we ought to be reasonable in the premises, and unless we stop and consider the enormous, staggering expenditures that we are making annually, the first thing we know they will get beyond all rhyme or reason.

Mr. ARENTZ. Do you believe that 158,000,000 acres of land in the forest area of the United States should be held as picnic grounds, or should the herbage of those reserves be fed off by sheepmen and cattlemen?

Mr. MAGEE of New York. I believe they should be used for grazing purposes as far as they can possibly be utilized.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. ROBSION of Kentucky. I understand from the statement of the gentleman that the bill carries \$75,000,000 for roads and trails.

Mr. MAGEE of New York. For Federal highway system, \$75,000,000, and \$5,000,000 for forest roads and trails.

Mr. ROBSION of Kentucky. That is \$80,000,000. I believe the gentleman further stated that the amount carried by this bill does not control or govern the amount that the Federal Government might spend during the coming fiscal year for that character of work, but that the amount is fixed by the authorizations of Congress.

Mr. MAGEE of New York. Yes.

Mr. ROBSION of Kentucky. And your committee undertakes to appropriate up to the amount of the authorizations, if it is necessary?

Mr. MAGEE of New York. Well, we appropriate to meet the obligations.

Mr. ROBSION of Kentucky. If it is necessary, up to the amount of the authorization?

Mr. MAGEE of New York. Yes. We follow the action of Congress. Congress gives us our orders, and we follow them. I am giving you my views in the hope that we will get down out of the clouds, get our feet on the earth, and be reasonable in these matters.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. LEATHERWOOD. If I followed the gentleman's remarks correctly, he favors Federal aid to highways, but he thinks the expenditure is too great?

Mr. MAGEE of New York. The annual expenditure; yes.

Mr. LEATHERWOOD. I wish to inquire whether the gentleman feels that \$75,000,000 a year is too great an expenditure?

Mr. MAGEE of New York. The amount has been fixed, as I understand, during the last three years in the authorizations at \$75,000,000 a year. What I say is that, in my judgment, we should not go beyond \$75,000,000 annually in expenditures for the Federal-aid highway system and the construction of roads and trails.

Mr. LEATHERWOOD. It is true, is it not, that in many States where Federal-aid highways are promoted by the Government the Government owns a large percentage of the public domain at this time?

Mr. MAGEE of New York. The gentleman means the national forests?

Mr. LEATHERWOOD. I mean public lands. I said the public domain.

Mr. MAGEE of New York. You have national forests and national parks, and they comprise a vast area.

Mr. ARENTZ. In the State of Nevada 90 per cent is public domain and not much of it is within national forests.

Mr. MAGEE of New York. I am not familiar with the proportion. The gentleman from Nevada can state that better than I can.

Mr. LEATHERWOOD. The gentleman appreciates, does he not, that in those States where the Government still retains a large percentage of the public domain that the States themselves are not receiving any revenue—except indirectly for schools and roads—from that great public domain?

Mr. MAGEE of New York. I do not see what that has to do with the proposition. I am talking about the construction of roads.

Mr. LEATHERWOOD. I will ask the gentleman this question then: If he feels that the upkeep of Federal-aid highways is too great a burden upon the people, how would he feel with reference to the proposition of turning over to the States the natural resources of the States and permitting them to take care of these matters themselves?

Mr. MAGEE of New York. I do not see that that question is before us. What I am talking against is everybody looking to the Federal Government to pay the cost. I think the States should bear their full responsibility as to matters pertaining to their welfare. There is talk all the time about bureaucrats here in Washington, the centralization of power here, and everything of that sort, but you can not lessen that by making increased demands and persistent demands all the while for

unwarranted expenditures on the part of the Federal Government. The Federal Government has not any money except as it raises it through taxation.

Mr. LEATHERWOOD. If the gentleman will yield, I would like to ask one other question. As a matter of history, there are many States in the Union where they have had turned over to them from the Federal Government all of the great natural resources. Now, if we are to apply the doctrine of self-sustenance and self-government and the doctrine that it is the duty of the States to keep these matters up, does not the gentleman think it would be fair to the States where the Government still holds great areas of the public domain, and still holds great coal areas, oil and shale areas—would it not be fair, if the gentleman wants the States to do that instead of coming to the Public Treasury—

Mr. MAGEE of New York. Let me interrupt the gentleman by saying that I think he is talking about a matter that is entirely irrelevant to the main question. I have already stated that I am in favor of cooperation between the States and the Government. What I am talking against is the unwarranted burden upon the Federal Government, which is constantly increasing. That is what I am talking about.

Mr. LEATHERWOOD. I am trying to find out whether we might not be able to relieve the Government of this burden. If many of these States were treated as the other States have been treated with reference to the distribution of the natural resources, I think many of the great public-domain States would be perfectly willing to assume these responsibilities. They would be willing to assume them if they were given the same treatment now that other States in the Union have been given and not ask the Federal Government for further aid.

Mr. MAGEE of New York. I am confining my remarks to excessive expenditures, and each man can pass his own judgment on that proposition. I have given you the facts, and you can reach any judgment you desire.

Mr. McDUFFIE. Will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. McDUFFIE. Can the gentleman conceive of any expenditure of the public moneys that brings more beneficial results to every community in the way of increased taxable valuations, in the way of intercourse between one community and another, and the general building up of communities than the building of highways through those communities?

Mr. MAGEE of New York. I am not talking against the proposition of building highways, and I am not talking about Federal aid in building them; what I am talking about is the excessive burden that people seem to be trying to place upon the Federal Government.

Mr. McDUFFIE. What is the excessive burden, if the gentleman will permit?

Mr. MAGEE of New York. I say in my opinion the Federal Government should not make expenditures in excess of \$75,000,000 a year for these purposes. You may differ with me in your judgment, and you are welcome to do so, but that is my judgment.

Mr. BYRNS. I understand the gentleman's personal opinion is that not exceeding \$75,000,000 should be expended.

Mr. MAGEE of New York. At this time.

Mr. BYRNS. In any one year in the improvement of highways in cooperation with the States?

Mr. MAGEE of New York. Yes; including forest roads and trails.

Mr. BYRNS. The bill which the gentleman reports, I will ask the gentleman, contemplates spending a greater sum than \$75,000,000 during the next fiscal year, does it not?

Mr. MAGEE of New York. Yes, sir. It is estimated at \$92,500,000. I do not suppose anybody can tell exactly.

Mr. BYRNS. The bill as reported by the committee only makes an appropriation up until March 4, 1927, and therefore it is clearly contemplated there will have to be a deficiency of perhaps \$20,000,000 or more next year.

Mr. MAGEE of New York. There may be. Nobody can tell. We will have to meet that situation when we come back in December.

Mr. BYRNS. Does not the gentleman think that in the interest of bookkeeping and in the interest of letting the people know in the beginning just what money they are spending, if it is going to take \$92,000,000 for the fiscal year 1927, we ought to have made that appropriation in this bill so that the people, when they come to sum up at the end of the session, may know just what has been appropriated by the Congress for this and other purposes?

Mr. MAGEE of New York. No; I do not think that, and I will tell the gentleman why. You adopted this policy in 1923.

Mr. BYRNS. Is it not a bad policy?

Mr. MAGEE of New York. No; I do not think it is a bad policy. I think the distinguished gentleman from Tennessee was on the committee at the time. In 1923 we appropriated \$25,000,000; in 1924, \$29,300,000; in 1925, \$13,000,000; and in the fiscal year 1926, \$76,000,000. This bill carries \$75,000,000. As suggested by the gentleman from Kentucky [Mr. ROBSON], who is thoroughly familiar with the situation, we meet the authorizations already made by Congress and provide money to meet the obligations as they fall due, and I think this is an economical policy and saves money for the Government.

Mr. BYRNS. If the gentleman will permit, of course, we all know that Congress will appropriate whatever amount is necessary to meet these authorizations. There is not any question about that, but here you have this situation: The Director of the Bureau of Public Roads comes before the committee and says they will need for 1927, \$92,000,000 in round numbers. The committee recommends \$75,000,000. There will be at the end of this fiscal year, according to the testimony before the committee, as I recall it, about \$4,000,000, which will make about \$79,000,000. Now, the Chief of the Bureau of Public Roads says they will spend during the first six months of the next fiscal year something like \$10,000,000, or perhaps a little more, a month, and that will leave only about \$17,000,000 at the beginning of January 1, 1927, for the remainder of the six months. So it is clear a deficiency appropriation will have to be made. I will admit, of course, it is the same thing in so far as the Treasury is concerned, but we will find that at the end of this session when we come to sum up what has been appropriated for the year 1927, the amount of money that will be needed to carry this Government along for good roads during the last three or four months of the next fiscal year will not be taken into consideration, and my point is that the people get a wrong viewpoint as to just what this Government is spending during each fiscal year.

Mr. MAGEE of New York. I am looking at the policy which your committee has established for the reason that no one can tell how much money will be needed. The Chief of the Bureau of Public Roads admits he can not estimate it. It might not be \$92,500,000. Nobody can tell about that. It does not make any difference whether it is carried in this bill or in a supplemental estimate in the deficiency bill. The only point is the Government must meet its obligations as they accrue, and that we have provided for in this bill way beyond March 4, 1927.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. MAGEE of New York. Yes, sir.

Mr. SUMMERS of Washington. If in the State of New York the Federal Government owned public lands, Indian lands, national forests, and national parks to the extent of 84 per cent of the area of the State, does the gentleman feel there would be some special obligation on the part of the Federal Government in that case in the way of building roads, or should the 16 per cent remaining provide roads for the whole area?

Mr. MAGEE of New York. The gentleman does not appear to grasp the point which I make.

Mr. SUMMERS of Washington. Yes; I know the gentleman does not want to expend large sums of money.

Mr. MAGEE of New York. Then the gentleman's questions would not seem to indicate it.

Mr. SUMMERS of Washington. The gentleman does not grasp the fact—

Mr. MAGEE of New York. Let me talk a moment. You have put a question to me.

Mr. SUMMERS of Washington. All right.

Mr. MAGEE of New York. I wish the gentleman would put a question that would mean something. The point I make is not that I am against Government aid in the building of Federal highways.

Mr. SUMMERS of Washington. I appreciate that.

Mr. MAGEE of New York. What I am talking about is the excessive amount the Government is annually called upon to appropriate and pay. I say we ought to be reasonable about it. We ought to live within our means. I was brought up that way myself. I do not think we ought to build these highways and build these roads and trails on the top of the Rocky Mountains and other mountains in this country, many of them, in my judgment, absolutely useless, and not take into consideration other needs of the Government. In other words, does the gentleman think there is more need of appropriating \$100,000,000 for public highways than there is for the construction of a Bureau of Internal Revenue building in the district to preserve tax records involving billions of dollars?

Mr. SUMMERS of Washington. I appreciate that.

Mr. MAGEE of New York. Then there is no difference between the gentleman and myself.

Mr. SUMMERS of Washington. Permit me to say that the gentleman did not find out how much that particular road on top of the mountain cost; that would have told the whole story.

Mr. MAGEE of New York. I sometimes thought during the hearing that the reason the Chief of the Forest Service was building so many roads and trails in unheard-of places was to furnish predatory animals with a good, clear way to get into the States of California, Arizona, and Texas, where they could destroy sheep, cattle, and so forth.

Mr. SUMMERS of Washington. I think we are agreed—I do not want any money spent needlessly, but I do feel the need of protection of the national forests and the construction of good roads.

Mr. MAGEE of New York. Nobody is against protecting the national forests, and this bill carries approximately \$8,000,000 to protect the national forests from fire.

Mr. ARENTZ. Will the gentleman yield?

Mr. MAGEE of New York. Yes.

Mr. ARENTZ. I understand the gentleman from New York to say that if a road from the outside of the forest reserve comes up to the boundary and a road was needed to connect the two ends across the forest reserve it is agreeable to him that the Government should pay for building that road?

Mr. MAGEE of New York. For building. If the gentleman will read the hearings he will see that I called on the Chief of the Forest Service and asked where the roads were and what it would take to construct such roads.

Mr. ARENTZ. In an inland State like my own, which only owns 16 per cent of the public domain, we believe that a large proportion should be borne by the United States Government. We have no quarrel on that, and the only thing that the gentleman quarrels about is instead of \$90,000,000 he thinks it should be a less amount?

Mr. MAGEE of New York. I do not know any man that is more in favor of good highways than myself. What I am talking about is that we can proceed in what seems to me an orderly and reasonable way, make reasonable appropriations, and not attempt to make such excessive appropriations that they become a burden on the taxpayers of the country. [Applause.]

The CHAIRMAN. The gentleman from New York has occupied one hour.

Mr. BUCHANAN. Mr. Chairman, I want to yield to one of my colleagues who is about to visit a hospital. I yield the gentleman from New York [Mr. BOYLAN] 10 minutes.

Mr. BOYLAN. Mr. Chairman and gentlemen of the House, I have listened to the very able chairman of the subcommittee relative to the bill, and I think that he has brought forth the facts in sufficient clearness for us to thoroughly understand it. I notice in the bill that there are appropriations for the care and treatment of tubercular cattle. There are appropriations for the protection of plants against the gypsy moth, the corn borer, the Japanese beetle, the boll weevil, and other insects.

I also notice that the predatory animals are cared for through the establishment of trails through the forests in order to better facilitate their capture of livestock. [Laughter.] I know that we have laws also protecting game and even protecting fish. I know there are laws in order that undue advantage may not be taken of the fish, that prohibit fishing through holes in the ice in order that they may not be taken unawares. [Laughter.]

But I do not rise, Mr. Chairman, to speak of the cattle or the insects or the predatory animals. I rise to speak for the human kind. In many of the cities, towns, and villages of the North and East to-day there is a shortage of coal. Many of our poor are suffering for want of heat. To-day here we sit around in this comfortable Chamber without overcoat or hat or earlaps or overshoes and are physically comfortable and at ease.

But in many of the towns in the North and East there are many people, especially the poorer classes, who are suffering for one of the very necessities of life—heat. Heat is necessary, as we are told and know from our own experience, for the preservation of life.

Immediately after the conferences between the operators and the employees in the city of New York, immediately after the conference had failed, I introduced a bill empowering the President of the United States in cases of emergency to take over and to operate the anthracite coal mines wherever necessary. This bill was referred to the Committee on Interstate and Foreign Commerce. It is still peacefully reposing in that committee, although the necessity for coal is admitted on all sides.

The presidential spokesman said that it would not be wise for the administration to interfere until Governor Pinchot had an opportunity of putting his bills through the Legislature of

the State of Pennsylvania. That time has passed. The governor was unsuccessful. His bills have not been reported.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. BLANTON. In a joint hearing before a House and Senate committee, of which I happen to be a member, our colleague from Pennsylvania [Mr. KENDALL] testified that the coal mines in his home town were selling coal at from \$1.75 to \$2.50 a ton; that that coal could be laid down here in Washington under \$5 a ton after paying the freight; and that that same coal has been selling here in Washington for from \$12.50 to \$15 a ton. Could there not be cooperative organizations on behalf of consumers here and in other cities organized by themselves, without Government aid, that could buy this coal and distribute it among themselves and escape these enormous profits made by middlemen?

Mr. BOYLAN. My colleague is correct. That could be done, but the people here in this city and in the great cities of the North and East are not as well organized as are the farmers. They have no cooperative organizations, and let me say to the gentleman that this is one of the substitutes recommended by the spokesman for the President, but it does not work out satisfactorily in the large cities, because, for instance, in the city of New York the hard-coal stoves used there are not of the type so that soft coal may be burned in them. We have had many occasions where the coal has exploded and blown the front out of the stove, and, further, the gases arising from the use of soft coal has caused many deaths by suffocation.

Mr. BLANTON. Our colleague Mr. KENDALL testified that he uses this coal in his own home, and we asked him about these objectionable matters of which the gentleman from New York speaks. He said that none of those things had occurred in homes around him in Pennsylvania.

Mr. BOYLAN. That is probably true, because they use stoves especially manufactured for the burning of soft coal. The people in the large cities in the East and in the North have not stoves of this type.

Mr. Chairman, on January 14 I addressed a letter to the chairman of the Interstate and Foreign Commerce Committee requesting a report of my bill, and I ask unanimous consent to have that placed in the RECORD at this point.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 14, 1926.

MY DEAR COLLEAGUE: On January 13 I introduced a bill in the House, which was referred to your committee, authorizing the President, when an emergency exists in the mining of anthracite coal through the suspension of operations in the mines, to take temporary control of the anthracite mines and proceed with the mining of coal until the emergency has passed.

On account of the existing strike in the coal fields for the past four months I know that you and the members of your committee are thoroughly familiar with the coal situation.

In view of this fact I do not think that you will require any hearings on this bill.

You know that owing to the scarcity of coal, hardship, suffering, and sickness have stalked through the Northern and Eastern States of the country. In many cities pneumonia has reached the epidemic stage. Here in Washington cases have been reported at the rate of 20 to 40 a day. In New York City and other large centers hospitals and institutions are so crowded with flu and pneumonia patients that it is difficult to gain admission to them.

The time for investigations and hearings has passed. It is now time for action.

When a starving man is at your door seeking food, you do not stop to investigate him; you feed him.

The people of this country now need coal, and need it badly, and I am sure that your committee will help give it to them.

Very sincerely yours,

JNO. J. BOYLAN.

Mr. BOYLAN. Mr. Chairman, it will be recalled that in the President's message he asked for authority with which to act. The bill that I introduced gives the President that authority. I am willing to stand loyally behind him. I have no particular pride of authorship. I will stand behind any bill that will afford relief to the people of my State and country. Many constitutional lawyers will say that this bill is unconstitutional. I have taken it up with many of the distinguished lawyers of the House, recognized authorities on constitutional

law, and they tell me that under the welfare provision of the Constitution the bill is constitutional. Furthermore, this bill has none of the attributes of socialistic legislation. It merely provides the machinery for meeting a crisis like the present one. It no more justifies the charge of socialism than maintaining an army and navy adequate for our needs leaves us open to the indictment that we are militaristic.

Mr. Chairman, the time has come for action. Investigations and hearings have had their day. If an enemy is at our door, we immediately take action to defend ourselves. Here is a situation that requires immediate action in order to preserve the lives of the greatest asset of our country, our children.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BUCHANAN. Mr. Chairman, I yield the gentleman three minutes more.

Mr. BLANTON. Mr. Chairman, will the gentleman kindly permit me to ask him one further question?

Mr. BOYLAN. Yes.

Mr. BLANTON. The distinguished Senator from West Virginia [Mr. NEELY] and our colleague from Pennsylvania [Mr. KENDALL] both in effect stated that a person can buy one carload of coal within 10 cents per ton of what the jobbers pay for it in 25 or 50 or 100 carload lots, and the best coal in West Virginia in Senator NEELY's district can be laid down here in Washington inside of \$5 a ton. Does not the gentleman think that consumers ought to do something about getting rid of these jobbers, these middlemen, who are holding us up for \$5 and \$6 and \$7 and \$8 and \$10 and even \$15 a ton profit?

Mr. BOYLAN. I agree with the gentleman.

Mr. BLANTON. I would like to get some of my colleagues to go in with me and buy a carload; and to protect themselves consumers must pool together and buy their coal in carload lots direct from the mines and have it distributed themselves.

Mr. BOYLAN. The coal is not here; and while the coal is in West Virginia people are freezing, people are suffering. It might as well be in Alaska as in West Virginia. It ought to be in Washington.

Mr. GREEN of Florida. Why worry about coal? Send your constituents down to Florida, where they can get sunshine.

Mr. BOYLAN. It is very easy for the gentleman to speak facetiously and to say to the poor laboring man in the city of New York, "Go to Florida." Why, you might as well tell them to go to the moon. [Laughter.]

Mr. SOMERS of New York. Will the gentleman yield?

Mr. BOYLAN. I will.

Mr. SOMERS of New York. The gentleman referred in his speech to a letter which he sent the chairman of the Committee on Interstate and Foreign Commerce, which is considering the bill. Did the chairman, may I ask the gentleman, reply to that letter?

Mr. BOYLAN. Oh, yes; he made a very courteous reply, and said the matter would be given careful consideration.

Mr. SOMERS of New York. Has the gentleman any idea what might be holding up this particular bill, since the President recommends it and since the Republican Party is in a majority?

Mr. BOYLAN. Oh, yes; I know.

Mr. SOMERS of New York. I wish the gentleman would tell us.

Mr. BOYLAN. They are waiting for something to happen; waiting perhaps to see if the operators and miners will get together.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOYLAN. I would like a few minutes more. Can the gentleman from Texas give me three minutes?

Mr. BUCHANAN. I yield the gentleman three minutes.

Mr. BOYLAN. I thank the gentleman.

Despite advice President Coolidge may have received from "experts," a supply of soft coal, no matter how plentiful, will not help. These "experts" know nothing of tenement life in New York City or other great centers of population, or they would not have given such advice to the Chief Executive. Before doing so, they might well have paid a visit to some of the homes I have seen in the past month.

They would have found families of five or more living in one or two small rooms, with no ventilation, few conveniences, and no place for storing coal. The one source of warmth and protection against illness in these homes is a small stove with isinglass front which, even under the best circumstances, provides a weak glow of heat. How can these people use soft coal or coke or be asked to support the administration's hands-off policy?

Such a suggestion is absurd. It comes from a purely academic mind, thinking more of big business and politics than the people's well-being.

I have been in a home where the mother was trying to burn soft coal. She told me, as did many others, in frantic tones and many languages, that the front of their inadequate heater had been blown out twice, and that the gases given off during the night had all but suffocated her children, sleeping four in a room. The youngest were ill from pneumonia from the combination of cold and dust and fumes. The rapidity with which this fuel burns make it impossible to keep enough on hand.

This situation prevails not only in my city but in all the large cities of the East. The wealthy or fairly comfortable, including the "experts," with their large and well-equipped heating systems and big homes, can get along on substitutes, though most of the "experts" were able to buy plenty of anthracite last summer at normal prices. But in Boston, New York, Philadelphia, Baltimore, Washington, and hundreds of smaller cities, actual hardships exist. Health records and the calls for more nurses prove it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BOYLAN. May I have two additional minutes?

Mr. BUCHANAN. I yield the gentleman two additional minutes.

Mr. BOYLAN. These are the people who will suffer illness and death if the administration continues to sit by with its fingers crossed and praying for something to turn up. First, there was hope that Governor Pinchot would settle the strike; now Congress and the President are waiting on the miners and operators to get together at to-day's parley. Upon whom must we next wait before we take steps to give relief to our people?

Only a few days ago Dr. William C. Fowler, health commissioner of the District of Columbia, attributed the pneumonia epidemic to improperly heated homes and the inability to get sufficient anthracite coal. Bellevue Hospital, in my city, was threatened with a coal famine, and for almost a day 3,000 patients and employees of this great institution faced the most serious crisis in its long history of faithful service to the sick and unfortunate.

How long is this to continue? What must the American people undergo before the President of the United States, enjoying more power than emperors and kings, will act? The whole thing is a burlesque on democratic government, which was created to serve the people, not to stand by and let them suffer because of the stubbornness of two small groups of warring industrial factions.

Mr. MAGEE of New York. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. SIMMONS].

Mr. SIMMONS. Gentlemen, one of the great needs of this country to-day is that the eastern folk understand something of the economic, social, and political conditions that exist west of the Allegheny Mountains and in particular west of the Mississippi River. It is very encouraging to find an editor of a great daily paper of the East who has some understanding of these problems and who realizes some of the essential justices of the claims of the western people. I wish to read to the committee and call to the attention of the Congress an editorial from the Washington Post of last Sunday morning:

NATIONAL RECLAMATION

Secretary Work, of the Department of the Interior, has sent to Congress the report of the board of adjustment and survey estimating losses on Federal reclamation projects at a total of \$27,102,000, due to lack of fertility of the soil for which irrigation works were constructed, inadequate water supply, and other physical causes. Projects included in the survey upon which the Government has sustained losses number 19.

The Bureau of Reclamation was the only one of the 12 bureaus in the Department of the Interior which seemed hopeless two years ago. An expenditure of approximately \$200,000,000 for reclamation projects had been made by the Government during the previous 20 years, requiring an additional \$60,000,000 to complete them. Repayments to the Government were only 9½ per cent.

The first step toward reclaiming reclamation was a complete reappraisal. A fact-finding committee was appointed, and after six months' study it reported that the Government faced a definite loss of \$18,561,000 and a probable additional loss of \$8,830,000 of its capital investment.

It is proposed to charge off about \$26,000,000 as losses levied against unproductive lands and not recoverable by the Government. If this is approved by Congress, it will afford relief for the farmers from indebtedness they can not meet.

The obligations of the Government in reclamation were further increased at the last session of Congress by initial appropriations for four new reclamation projects and extensions of three existing projects, which will entail an expenditure of an additional \$60,000,000.

The opinion seems to prevail that the Government's reclamation policy is a failure. However, this policy perhaps has accomplished more toward creating national wealth in the building of towns and

cities and in the making of happy homes for thousands of people than almost any other Government undertaking.

It is estimated that the national wealth created by these expenditures has increased more than \$600,000,000. Statistics show that the value of the crops on all Government reclamation projects during 1925 amounted to more than \$110,000,000. Reclamation has provided in the West a market for manufactured products valued at least at \$500,000,000. In one year manufactured commodities from the East, valued at \$34,000,000, were shipped into these reclaimed sections.

It is admitted that mistakes have been made, but they are remediable. Secretary Work says:

"We are now entering a new era in the history of reclamation. Its present condition, its difficulties, and its promises have been opened up to Congress and to the public with all frankness. * * * It lies within the province of Congress to determine an equitable and economically sound policy which will remedy existing evils and make impossible a recurrence of conditions which have demoralized the Federal reclamation service."

By utilizing the experience of the last 20 years, mistakes will be avoided in the future and the development of arid lands, bringing happiness and prosperity to many, will continue on a sound basis.

We discussed during debate on the interior bill certain phases of the reclamation problem. I desire to read in connection with that and in accord with the editorial just read, for the consideration of the Membership, an editorial from the Omaha Bee, Omaha, Nebr., in its morning issue of January 23, of this year.

OMAHA, WHERE THE WEST IS AT ITS BEST—UNCLE SAM AND THE WATER USER

A problem as vexatious as it seems simple has been raised through the attitude of Secretary Work, of the Interior Department, toward the water users. Its crux is presented by Attorney William Morrow, who represents the settlers under the big ditch that serves the Mitchell Valley section:

"Why should the Government insist on gouging the farmers of the North Platte irrigation district, regardless of their ability to pay, when it is for giving billions of dollars of debts owed to this country by foreign countries, cutting down their obligations and reducing their interest charges?"

Especially pertinent is this question, when the Elwood Mead report is called to mind. This report recommended that some \$18,000,000 be charged off the books on account of Government expenditure in connection with reclamation work. More than half of this amount was reported to be unrecoverable. President Coolidge approved the report and recommended to Congress that legislation be enacted to make it effective.

The report also recommended that the charge against the land for water in the future be based on the productivity of the land served. Also, that charges bear some relation to the crops harvested one year after another. So that the farmer would not be required to pay as much on a poor crop as on a bountiful yield. Returns from the soil and not the acreage would be the governing factor. This reasonable rule also was approved by the President.

The act of December, 1924, contained a provision intended to put into effect the spirit of the Mead report. One of its sections directs the Secretary of the Interior to enter into contracts with the water users, either on the old basis or the new terms, at the option of the water user. This Doctor Work has reversed. Instead of carrying out the clear provision of the act, he has ruled that the new contract is optional with the department. This takes away from the settler the protection it was designed to give him. It is the point raised by Representative SIMMONS in his recent argument in the House of Representatives.

Not only has this protection been removed by the Secretary's reversal of the law, but the settlers are being pressed for arrearages, most of which arise through increased charges for water, incidental to added cost, the result of faulty calculations of construction engineers.

Get this fact clear in mind: Water users are not seeking to get out from under any obligation entailed in the contracts they made with the Government. They do object, and rightly, to having those obligations extended unreasonably by arbitrary orders from the department. Also, they would like to have the protection promised them under the law, which made the Mead report effective. This is being denied them.

When the reclamation work was first taken up by the Federal Government, it was not expected that the settlers should be squeezed in order to return the full amount of investment. From the first it was understood that some part of the cost would reflect Government service to its citizens. As unexpected difficulties arose, new obstacles were encountered, and estimates of cost proved too low, the effort was made to recoup the fund by increasing charges for water. Out of this came the investigation carried on by the Mead commission. Its report, recommending that the increased cost to the Government be borne by the Treasury and not be apportioned to the water users was sound, and so was adopted.

Why the water users of the North Platte Valley should now be pursued by the Government to pay for something they are in no sense responsible for is not easily explained. If the Government of the United States can forgive Italy billions of dollars in debt and interest, it surely can afford to deal justly with these farmers. They are willing to pay what they contracted for. What they ask to be relieved from is the unreasonable, and in many cases confiscatory, charges for which they did not contract, especially that part of the so-called debt that arises under water rights that have been abandoned.

We know in advance what reception the Nebraska delegation in Congress will give the committee from the North Platte Water Users Association. We believe they have justice and right on their side, and that the Interior Department will be brought to see its mistake in policy.

May I again urge the serious and favorable consideration of these two editorials?

I yield back the remainder of my time. [Applause.]

Mr. MAGEE of New York. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from New York moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TREADWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 8264) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1927, and for other purposes, had come to no resolution thereon.

THE COOPERATIVE MARKETING BILL—THE M'DUFFIE AMENDMENT

Mr. GREEN of Florida. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on the marketing bill passed to-day.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GREEN of Florida. Mr. Speaker and Members of the House, I most heartily indorse the amendment, which includes the term "naval stores," said amendment offered by the gentleman from Alabama [Mr. McDUFFIE]. I am also in accord with the general provisions of the cooperative marketing bill, which is now before us. While it is not exactly the kind of bill I would draw for the needs of agriculture at this time, it does contain some good provisions, and, on account of the good features of the bill, I expect to cast my vote for it.

There is not a class of industrialists in America to-day which has been so sorely neglected and which deserves more and receives less than the farmers of the Nation; and I think it is time the Government was making an effort to bring about relief for the workers in this great industry which is the real strength of America. Probably the worst two problems confronting the farmers to-day are that of transportation and that of marketing their products.

Permit me to say relative to the amendment as offered by the gentleman from Alabama that the naval-stores industry is one of the great branches of agriculture. The introducer of the amendment, Mr. McDUFFIE, and the gentleman from Georgia [Mr. EDWARDS] have already dwelt upon the definition of naval-stores products, therefore I take it for granted that you understand the meaning of the term, and I shall not stress it. The fact is that there are approximately 1,350 producing establishments in the United States, all of which, of course, are in the Southern States, particularly those States where the long-leaf yellow pine grows, as Florida. In 1921, 23,378,854 gallons of spirits of turpentine, valued at \$13,356,790, and 1,661,624 five hundred-pound barrels of rosin, valued at \$10,796,975, or a total of \$24,276,000, were produced. This was produced by 1,418 establishments, of which 490, producing \$8,231,775 worth of products, were in the State of Florida. In the operating year 1924-25, 27,174,580 gallons of turpentine and 1,790,087 five hundred-pound barrels of rosin were produced. Of this, the State of Florida produced more than one-third, and its largest naval-stores shipping port, Jacksonville, shipped 11,707 tons of turpentine and 82,219 tons of rosin, besides dross and other products. Therefore in the interests of the largest naval-stores producing State in the Union I indorse the McDuffie amendment and trust that it will be adopted.

The number of naval-stores operators is decreasing, the saw-mill men and others are rapidly consuming the yellow-pine forests of the South, the virgin timber forests are rapidly diminishing, the cost of labor to produce naval-stores products is continually enhancing, and I believe that all possible should

be done to aid and assist the operators and workers, both large and small, who are engaged in this great and declining industry.

ENROLLED BILL SIGNED

The SPEAKER announced his signature to enrolled bill of the following title:

H. R. 6089. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge and approaches thereto across the Fox River in the county of McHenry, State of Illinois, in section 26, township 45 north, range 8 east of the third principal meridian.

BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval bills of the House of the following titles:

H. R. 3755. An act granting the consent of Congress to the counties of Anderson, S. C., and Elbert, Ga., to construct a bridge across the Savannah River; and

H. R. 6089. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge and approaches thereto across the Fox River, in the county of McHenry, State of Illinois, in section 26, township 45 north, range 8 east of the third principal meridian.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WHITE of Kansas, for four days, on account of important business.

To Mr. DOYLE, for three days, on account of important business.

To Mr. WELLER, for to-day, on account of important business.

ADJOURNMENT

Mr. MAGEE of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Wednesday, January 27, 1926, at 12 o'clock meridian.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

304. A letter from the Secretary of the Treasury, transmitting a draft of a bill to amend an act entitled "An act authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., etc.," so as to authorize the Secretary of the Treasury to transfer to the Department of Commerce for light-house purposes a portion of the marine hospital reservation at Detroit, Mich., and a portion of the United States post office and courthouse property at Key West, Fla., in exchange for a new marine hospital site; also to authorize the Secretary of the Treasury to construct a new marine hospital thereon; to the Committee on Public Buildings and Grounds.

365. A letter from the Secretary of Commerce, transmitting a description of papers on file in the various bureaus of the Department of Commerce which are not needed or useful in the transaction of current business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

306. A communication from the President of the United States, transmitting a proposed draft of legislation affecting an existing appropriated fund—the "Navy pension fund," under control of the Navy Department—authorizing payments thereof in the amount of \$349.86 to the legal representatives of deceased men in the Marine Corps (H. Doc. No. 229); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SINNOTT: Committee on the Public Lands. H. R. 5242. A bill to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes; without amendment (Rept. No. 144). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 5240. A bill to authorize the construction of a bridge across Fox River, in Dundee Township, Kane County, Ill.; without amendment (Rept. No. 145). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 6090. A bill granting the consent of Congress to

the State of Illinois to construct, maintain, and operate a bridge and approaches thereto across the Fox River in the county of McHenry, State of Illinois, in section 18, township 43 north, range 9 east of the third principal meridian; with amendments (Rept. No. 146). Referred to the House Calendar.

Mr. MAPES: Committee on Interstate and Foreign Commerce. H. R. 7187. A bill granting the consent of Congress to the South Park commissioners and the commissioners of Lincoln Park, separately or jointly, their successors and assigns, to construct, maintain, and operate a bridge across that portion of Lake Michigan lying opposite the entrance to Chicago River, Ill.; without amendment (Rept. No. 147). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 8371) to authorize the Secretary of the Navy to dispose of sand and gravel from the naval ammunition depot reservation at Hingham, Mass.; to the Committee on Naval Affairs.

By Mr. ELLIS: A bill (H. R. 8372) to expedite the works of improvement of inland rivers for navigation; to the Committee on Rivers and Harbors.

By Mr. HICKEY: A bill (H. R. 8373) to amend the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. MOORE of Virginia: A bill (H. R. 8374) to authorize the Secretary of War to permit the delivery of water from the Washington Aqueduct pumping station to the Arlington County sanitary district; to the Committee on the District of Columbia.

By Mr. ROUSE: A bill (H. R. 8375) allowing credit to postal and substitute postal employees for time served in the Army, Navy, or Marine Corps of the United States; to the Committee on the Post Office and Post Roads.

By Mr. SMITHWICK: A bill (H. R. 8376) to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 2 south, range 17 west, sections 30, 31, and 32, Tallahassee meridian, Bay County, Fla., and for other purposes; to the Committee on the Public Lands.

By Mr. SUTHERLAND: A bill (H. R. 8377) authorizing the Postmaster General to establish a uniform system of registration of mail matter; to the Committee on the Post Office and Post Roads.

By Mr. THOMAS: A bill (H. R. 8378) for the erection of a public building at Watonga, Blaine County, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. TIMBERLAKE: A bill (H. R. 8379) to amend the patent laws; to the Committee on Patents.

By Mr. WEAVER: A bill (H. R. 8380) for the purchase of a site and the erection of a post-office building at Marion, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMSON: A bill (H. R. 8381) to create a commission with authority to hear and determine claims of individual members of the Sioux Tribe of Indians against tribal funds or against the United States; to the Committee on Indian Affairs.

By Mr. BANKHEAD: A bill (H. R. 8382) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tombigbee River near Aliceville on the Gainesville-Aliceville Road in Pickens County, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Maryland: A bill (H. R. 8383) to create an additional judge in the district of Maryland; to the Committee on the Judiciary.

By Mr. SEARS of Florida (by request): A bill (H. R. 8384) fixing the per diem allowance of officials of the United States district courts when necessarily absent from their official residences upon official business; to the Committee on the Judiciary.

By Mr. NELSON of Missouri: A bill (H. R. 8385) to confirm New Madrid location and survey No. 2880 and to perfect title thereto; to the Committee on the Public Lands.

By Mr. ALMON: A bill (H. R. 8386) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across Elk River on the Athens-Florence Road between Lauderdale and Limestone Counties Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8387) granting the consent of Congress to the highway department of the State of Alabama to construct

a bridge across the Tennessee River near Guntersville on the Huntsville-Guntersville Road between Madison and Marshall Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8388) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tennessee River near Scottsboro on the Scottsboro-Fort Payne Road in Jackson County, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8389) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tennessee River near Whitesburg Ferry on Huntsville-Lacey Springs Road between Madison and Morgan Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. McDUFFIE: A bill (H. R. 8390) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tombigbee River near Jackson on the Jackson-Mobile Road between Washington and Clark Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8391) granting the consent of Congress to the highway department of the State of Alabama to construct a bridge across the Tombigbee River on the Butler-Linden Road between the counties of Choctaw and Marengo, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. FREEMAN: A bill (H. R. 8392) for the purchase of the Cape Cod Canal property, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. GASQUE: A bill (H. R. 8393) for acquiring a site and the erection of a public building at Hartsville, S. C., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. HASTINGS: A bill (H. R. 8394) for the purchase of a site and erection thereon of a public building at Sallisaw, in the State of Oklahoma; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8395) for the purchase of a site and erection thereon of a public building at Eufaula, in the State of Oklahoma; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8396) for the purchase of a site and erection thereon of a public building at Stilwell, in the State of Oklahoma; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8397) for the purchase of a site and erection thereon of a public building at Stigler, in the State of Oklahoma; to the Committee on Public Buildings and Grounds.

By Mr. McKEOWN: A bill (H. R. 8398) to amend the Federal farm loan act and the agricultural act of 1923; to the Committee on Banking and Currency.

By Mrs. ROGERS: A bill (H. R. 8399) to facilitate the naturalization of aliens who served in the armed forces of the United States during the World War; to the Committee on Immigration and Naturalization.

By Mr. SOMERS of New York: A bill (H. R. 8400) to amend the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. WELSH: Joint Resolution (H. J. Res. 133) to further provide for the participation by the Government of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence; to the Committee on Industrial Arts and Expositions.

By Mr. BLACK of New York: Resolution (H. Res. 105) authorizing the Speaker of the House to appoint a committee of seven Members of the House to investigate the rubber business in the United States, and for other purposes; to the Committee on Rules.

By Mr. CONNALLY of Texas: Resolution (H. Res. 106) authorizing the Speaker of the House to appoint a committee of nine Members of the House to inquire into the court-martial and sentence of Col. William Mitchell, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. DRANE: Memorial of the House of Representatives of the State of Florida, directed to the President and Congress of the United States, requesting the establishment of military schools or camps for the purpose of training aviators upon the present Government fields of Dorr and Carlstrom, located near Arcadia, in De Soto County, Fla.; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 8401) granting an increase of pension to Sarah Jane Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8402) granting an increase of pension to Sarah A. Murray; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 8403) granting a pension to Laura Bordell; to the Committee on Invalid Pensions.

By Mr. BOIES: A bill (H. R. 8404) granting an increase of pension to Susan K. Mapes; to the Committee on Invalid Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 8405) granting an increase of pension to Jennie S. Faris; to the Committee on Invalid Pensions.

By Mr. BURTNESS: A bill (H. R. 8406) granting a pension to Mary Keen; to the Committee on Invalid Pensions.

By Mr. CARSS: A bill (H. R. 8407) granting an increase of pension to Samuel H. Woollen; to the Committee on Pensions.

By Mr. DOUGLASS: A bill (H. R. 4808) for the relief of Bertha M. Leville; to the Committee on Claims.

Also, a bill (H. R. 8409) for the relief of Frank Baglione; to the Committee on Claims.

Also, a bill (H. R. 8410) granting an increase of pension to Frances M. Collins; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 8411) for the relief of John H. Rhinelander; to the Committee on Claims.

By Mr. FENN: A bill (H. R. 8412) for the relief of W. R. Grace & Co.; to the Committee on Claims.

By Mr. ROY G. FITZGERALD: A bill (H. R. 8413) granting a pension to Mary Jane Thompson; to the Committee on Invalid Pensions.

By Mr. FLAHERTY: A bill (H. R. 8414) granting a pension to Bertha M. Valpey; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 8415) granting a pension to John F. Sheridan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8416) granting a pension to Ida J. Hitt; to the Committee on Pensions.

By Mr. GLYNN: A bill (H. R. 8417) granting an increase of pension to Margaret Snagg; to the Committee on Invalid Pensions.

By Mr. HARE: A bill (H. R. 8418) granting a pension to Ida L. von Harten; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 8419) granting an increase of pension to Mary E. Rankin; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 8420) granting a pension to Jennie Holbrook; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 8421) granting an increase of pension to Isabel Shollar; to the Committee on Pensions.

Also, a bill (H. R. 8422) granting an increase of pension to Mary E. Piper; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 8423) granting an increase of pension to Charles A. Virgils; to the Committee on Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 8424) granting a pension to Anna Holbrook McKenzie; to the Committee on Invalid Pensions.

By Mr. MARTIN of Massachusetts: A bill (H. R. 8425) granting a pension to Esther Horth; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 8426) granting an increase of pension to Amanda Toot; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8427) granting an increase of pension to Mary L. Koch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8428) granting an increase of pension to Sarah A. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8429) granting an increase of pension to Emaline Sloat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8430) granting an increase of pension to Louisa Stough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8431) granting a pension to Mary A. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8432) granting an increase of pension to Louisa Yeagy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8433) granting a pension to Rose Wernig; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 8434) to execute the findings of the Court of Claims in the cases of the heirs of William Pollock, deceased; to the Committee on War Claims.

By Mr. NELSON of Missouri: A bill (H. R. 8435) for the relief of Mrs. G. A. Guenther; to the Committee on War Claims.

By Mr. NEWTON of Minnesota: A bill (H. R. 8436) granting a pension to Mary A. Sims; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 8437) granting a pension to Elizabeth Blauser; to the Committee on Invalid Pensions.

By Mr. RANSLEY: A bill (H. R. 8438) for the relief of James B. Connor; to the Committee on Claims.

By Mr. SEARS of Florida: A bill (H. R. 8439) granting a pension to Elizabeth Hickman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8440) granting an increase of pension to Jennie M. Kloos; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 8441) granting an increase of pension to Sarah A. Sheets; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 8442) granting an increase of pension to Mary B. Hallstead; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 8443) for the relief of James E. Moyer; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 8444) granting an increase of pension to Nora Jacobs; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 8445) granting an increase of pension to Cyrene Younklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8446) granting a pension to Jack Mills; to the Committee on Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 8447) for the relief of Thomas G. Peyton; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 8448) granting an increase of pension to Morald J. Crisp; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 8449) granting an increase of pension to Missouri Marberry; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: Resolution (H. Res. 107) authorizing the payment of six months' salary and funeral expenses to Jennie Cousins on account of death of Levi B. Cousins, late a doorkeeper at the House of Representatives; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

466. By Mr. CARSS: Petition of the City Council of the City of Two Harbors, Minn., in regard to the Great Lakes-St. Lawrence tidewater undertaking; to the Committee on Interstate and Foreign Commerce.

467. Also, petition of the Oscar Anderson Post, No. 109, American Legion, Two Harbors, Minn., indorsing deep waterway from the ocean to the Great Lakes; to the Committee on Interstate and Foreign Commerce.

468. By Mr. CONNERY: Resolution of the United Divisions, Ancient Order of Hibernians in America, Worcester, Mass., protesting against the entry of the United States into the World Court; to the Committee on Foreign Affairs.

469. By Mr. FULLER: Petition of the stockholders of the Farmers' Cooperative Elevator Co., of Belvidere, Ill., protesting against any further increase in the corporation tax; to the Committee on Ways and Means.

470. Also, petition of the Illinois Manufacturers' Association, opposing the Government engaging in business; to the Committee on the Post Office and Post Roads.

471. Also, petition of the National Committee for the Prevention of Blindness, for legislation relative to trachoma among the Indians; to the Committee on Indian Affairs.

472. Also, petition of Illinois Central Railroad, protesting against any reduction in the appropriation for the completion of the topographical survey; to the Committee on Appropriations.

473. Also, petition of the newspaper publishers and job printers of northern Illinois, asking that the Government desist from printing and delivering envelopes to the general trade at a price less than they can be purchased wholesale from the paper houses; to the Committee on the Post Office and Post Roads.

474. By Mr. GALLIVAN: Petition of Division 31, Ancient Order of Hibernians, Peter Dolan, secretary, 18 Bowman Street, Dorchester, Mass., protesting against the United States of America entering into any entangling alliance with European countries; to the Committee on Foreign Affairs.

475. Also, petition of United Divisions, Ancient Order of Hibernians in America, of Worcester, Mass., Representative Edward J. Kelley, president, protesting against the United

States entering the World Court; to the Committee on Foreign Affairs.

476. By Mr. LONGWORTH: Petition of the Bakery and Confectionery Workers' International Union, Local Union No. 173, protesting against the merger of the Ward, Continental, and General Baking Cos.; to the Committee on Rules.

477. By Mr. POU: Petition of North Carolina Federation of Women's Clubs, urging Congress to give favorable consideration to the bill providing for the erection of a building in Washington, D. C., to be known as the national gallery of art; to the Committee on the Library.

478. By Mr. THOMPSON: Resolution of the Hotel Greeters of Ohio, Charter No. 11, in favor of appropriations by the Federal Government for good roads; to the Committee on Roads.

479. Also, resolution of Farmers' Equity Union Convention, at Aberdeen, S. Dak., favoring the early construction of a Great Lakes-tidewater deep-water canal; also demanding the President and the Tariff Commission to place an additional import duty on certain farm products imported; to the Committee on Ways and Means.

SENATE

WEDNESDAY, January 27, 1926

(Legislative day of Saturday, January 16, 1926)

The Senate reassembled, in open executive session, at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 7893) to create a division of cooperative marketing in the Department of Agriculture; to provide for the acquisition and dissemination of information pertaining to cooperation; to promote the knowledge of cooperative principles and practices; to provide for calling advisers to counsel with the Secretary of Agriculture on cooperative activities; to authorize cooperative associations to acquire, interpret, and disseminate crop and market information, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS

Mr. WILLIS presented a memorial of sundry citizens of Akron, Ohio, remonstrating against the acceptance by this Government of the Italian debt-settlement agreement and also the participation of the United States in the Permanent Court of International Justice, which was ordered to lie on the table.

He also presented a petition of sundry members and friends of Avery L. Vertner Auxiliary Post, at Delaware, Ohio, praying for the passage of Senate bill 98, granting increased pensions to Spanish-American War veterans and their widows, which was referred to the Committee on Pensions.

Mr. FRAZIER presented memorials and papers and telegrams in the nature of memorials, numerous signed, by sundry citizens of Fargo, Wimbledon, Upham, Williston, Spring Brook, Epping, Arnegard, Zahl, Bonetrail, Larimore, Arvilla, Grafton, and Pilot, and the Cass County Klan, and F. Halsey Ambrose, of Grand Forks, all in the State of North Dakota, remonstrating against the participation of the United States in the Permanent Court of International Justice, which were ordered to lie on the table.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAYARD:

A bill (S. 2806) granting a pension to Abigail J. Barton; and

A bill (S. 2807) granting an increase of pension to Jennie R. Lampp; to the Committee on Pensions.

By Mr. SMITH:

A bill (S. 2808) to amend section 24 of the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

By Mr. SHORTRIDGE:

A bill (S. 2809) for the relief of Frank Louis Muller; and

A bill (S. 2810) to provide for the advancement on the retired list of the Navy of Frank G. Kutz; to the Committee on Naval Affairs.

By Mr. BRATTON:

A bill (S. 2811) to amend section 1 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, as amended, in respect of public performance for profit; to the Committee on Patents.